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# House of Representatives

The House met at 10 a.m.

The Reverend W. Douglas Tanner, Jr., President, The Faith & Politics Institute, Washington, D.C., offered the following prayer:

Almighty God, we come before You this morning conscious that 230 years ago next Tuesday, the Founders of our Nation declared certain truths to be self-evident: that You created us all equal and endowed us with the rights to life, liberty and the pursuit of happiness. For the clarity of their insight, we are profoundly grateful. For the myriad of ways even they found to disregard those truths, and the ways we continue to, we seek Your pardon.

Thomas Jefferson wrote, ''Indeed I tremble for my country when I reflect that God is just.'' We, too, should tremble; sometimes we do. Yet we trust in Your grace and mercy to save us from both our adversaries and ourselves.

Guide us, we pray, to understand as Reinhold Niebuhr that nothing that is worth doing can be achieved in our lifetime; therefore, we must be saved by hope. Nothing which is true or beautiful or good makes complete sense in any immediate context of history; therefore, we must be saved by faith. No virtuous act is quite as virtuous from the standpoint of our friend or foe as it is from our standpoint. Therefore, we must be saved by the final form of love, which is forgiveness.

Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Illinois (Ms. SCHAKOWSKY) come forward and lead the House in the Pledge of Allegiance.

Ms. SCHAKOWSKY led the Pledge of Allegiance as follows:

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

## MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 4912. An act to amend section 242 of the National Housing Act to extend the exemption for critical access hospitals under the FHA program for mortgage insurance for hospitals.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5122. An act to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 2766. An act to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 2767. An act to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

S. 2768. An act to authorize appropriations for fiscal year 2007 for military construction, and for other purposes.

S. 2769. An act to authorize appropriations for fiscal year 2007 for defense activities of the Department of Energy, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 5122) ''An Act to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WARNER, Mr. MCCAIN, Mr. INHOFE, Mr. ROBERTS, Mr. SESSIONS, Ms. COLLINS, Mr. ENSIGN, Mr. TALENT, Mr. CHAMBLISS, Mr. GRAHAM, Mrs. DOLE, Mr. CORNYN, Mr. THUNE, Mr. LEVIN, Mr. KENNEDY, Mr. BYRD, Mr. LIEBERMAN, Mr. REED, Mr. AKAKA, Mr. NELSON (FL), Mr. NELSON (NE), Mr. DAYTON, Mr. BAYH and Mrs. CLINTON, to be the conferees on the part of the Senate.

## WELCOMING REVEREND W. DOUGLAS TANNER, JR.

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

Mr. LEWIS of Georgia. Mr. Speaker, our guest chaplain for the morning is the Reverend Doug Tanner. Doug Tanner is a Methodist minister, native of the great State of North Carolina, a man of great faith, a man of dedication, a man of commitment.

Doug Tanner was inspired by God Almighty to do what I call get in the way. Somehow and some way he was touched, not just by the spirit of history, but by the spirit of the Almighty to find a way to bring Members together, both Democrats and Republicans, both Members of the House and Members of the Senate. Doug was inspired to become the founding father of



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Faith and Politics. Through this organization, through this effort, he has been a blessing to many of us.

So, Reverend Doug Tanner, we want to thank you for being here today, but we want to thank you for helping all of us to become better people of faith.

Many of our colleagues may not know that many of us get together with you from time to time to put our faith in action. You have led many of us to go back to Alabama and visit the historic sites of the civil rights movement; to go to Tennessee and do likewise; to go to Farmville, Virginia; to go to South Africa. Again, we want to thank you for helping us to be reconciled to others.

When historians pick up their pen and write about this period during this part of our congressional lives, they will have to say that the Reverend Doug Tanner made a lasting contribution to the cause of justice, to the cause of freedom, and made each one of us better human beings and better legislators and better individuals of faith. I thank the Reverend.

## HONORING REVEREND W. DOUGLAS TANNER, JR.

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

Mr. LAHOOD. Mr. Speaker, I rise today also to honor Doug Tanner. Doug has done an extraordinary job of bringing House and Senate Members, both sides of the aisle, together.

I have had the privilege, as have many Members, to be a part of the trips to Montgomery and to Selma; to be a part of the trip to South Africa to learn more about AIDS and more about apartheid and more about reconciliation. That really has been what Doug's life has been about here at the U.S. Capitol, bringing people together, getting people to work together, getting people to pray together; and he will be missed.

So, on behalf of those that have had the experience of knowing Doug Tanner, Mr. Speaker, and knowing the great work that he has done, I will say that he will be missed. I know that his lovely wife Kathy and he will enjoy now future opportunities to bring people together, to pray together and to work together; and we wish you well.

Mr. Speaker, I honor Doug Tanner today for helping those of us who work here to honor one another. Godspeed, Reverend Tanner.

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five further 1-minute speeches on each side of the aisle.

## WATER RESOURCES DEVELOPMENT ACT

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

Mr. FOLEY. Mr. Speaker, I rise today to ask the Senate to please bring the Water Resources Development Act to the floor for passage before the August recess.

We passed WRDA, as it is known, the Water Resources Development Act, here in the House on July 14, 2005, almost a year ago. It still awaits action in the Senate. I am encouraged by recent reports that the parties over in the other body have agreed to a critical debate on this bill; yet we await a schedule.

Indian River Lagoon is one of the important projects contained in WRDA, helping the Indian River Lagoon, comprehensive Everglades restoration, helping reconstruct damage caused by dikes, levees and a number of other public works projects over 70 years.

The Everglades needs our help. It needs our help now. The polluted waters of Florida are in desperate need of rehabilitation. WRDA would solve many of these problems.

I urge Senator FRIST to bring up WRDA, and hopefully it will pass so the House and the Senate can be on record of supporting the environment.

## THE CONSTITUTION: DON'T LEAVE THE HOUSE WITHOUT IT

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

Mr. KUCINICH. The New York Times annual subscription, $309.40. The Treasury Department secretly looking at your financial records, very expensive. The Constitution of the United States, priceless.

Some want freedom of the press to be contingent on writing nice things about the Bush administration. For all others, there is the Constitution and the first amendment. The Constitution of the United States: Don't leave the House without it.

## EMINENT DOMAIN REFORM

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

Mr. GINGREY. Mr. Speaker, I rise today to congratulate the President for his recent executive order limiting the eminent domain powers of the Federal Government. This order is a significant step in the right direction.

This executive order comes 1 year after the Supreme Court's narrowly decided Kelo decision which essentially gutted the private property protection of the fifth amendment. Thankfully, across the country, State and local governments have begun to pass legislation rolling back the tide of eminent domain abuse.

In my home State of Georgia, the legislature recently passed and Governor Perdue signed significant eminent domain reform legislation to protect the rights of Georgia's citizens from the government wrecking ball.

However, we in this Congress must do more; and, therefore, I call upon the Senate to take up and pass H.R. 4128, the Private Property Protection Act of 2005, which this House passed last November by a bipartisan and overwhelming vote.

With the 4th of July approaching, let's declare that this land is the American people's land and not the government's.

## OMAN FREE TRADE AGREEMENT

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

Ms. SOLIS. Mr. Speaker, today, I rise in opposition to the U.S.-Oman Free Trade Agreement.

The U.S. government, as you know, is prepared to open our market and risk our workers' jobs for a country which fails to respect workers and human rights. Oman not only bans unions, but it has been reported by our own State Department to have human trafficking and forced labor abuses.

The wage gap between men and women in Oman is one of the widest in the world, with women earning less than 22 percent of their male counterparts. Oman even bans night work and hard labor for women unless the sultan states otherwise. Yet the free trade agreement does not require Oman to protect women workers' rights and does not even require Oman to bring its domestic anti-discrimination laws into line with our international standards.

Oman will face no consequences if it chose to allow employers to violate existing maternity leave provisions or the ban on pregnancy based dismissals or continue to permit job discrimination based on sex.

We need a fair trade agreement, one that will help prevent the exporting of our workers' jobs. Let us turn down the Oman Free Trade Agreement.

## WELCOMING HOME CHIEF MASTER SERGEANT GERALD MURRAY

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

Mr. MCHENRY. Mr. Speaker, I rise today to welcome home Chief Master Sergeant of the Air Force Gerald Murray, who is returning this fall to Boiling Springs, North Carolina, after 29 years of dedicated service to our Nation.

Chief Murray grew up in Boiling Springs, a town in my district, and entered the Air Force in October of 1977. He was stationed in Florida, South Carolina, Washington and Georgia, and also served overseas in Turkey and Japan, before being deployed to support Desert Storm and Southern Watch.

As the 14th chief master sergeant, the highest noncommissioned officer in

the Air Force, his many years of devoted service to our Nation deserve the highest praise. Chief Murray's numerous tours and operations clearly demonstrate his drive and determination to protect our country and ensure our freedoms.

Chief Murray answered the call to protect our country and to serve with valor, class and integrity; and he represented Western North Carolina and America well. He deserves the highest phrase; and we are happy to have you home, Chief Murray.

## DEEP OCEAN ENERGY RESOURCES ACT

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

Mrs. CAPPS. Mr. Speaker, 25 years ago, this Congress enacted a protection, in a bipartisan, bicoastal way, protection for our coasts, recognizing that we have a Federal responsibility for our deep water oceans and the treasures that they hold in store for all Americans.

Today before us we will have a bill to undo these 25 years of bipartisan, bicoastal protection with a bill that is both unnecessary, environmentally damaging and fiscally irresponsible. It is a real budget buster, creating a new entitlement program for a few States and draining the resources to the rest of the States that will be left high and dry.

Don't be fooled by the bill's temptation because of a cost that is well below what eventually will end up into the tens of billions of dollars. The Bush administration says that over the next 60 years, it is a $600 billion giveaway. And this is something that happens at a time when we need to look for reducing consumption, more fuel efficiency and investing in alternatives.

Vote ''no'' on the Pombo bill.

□ 1015

## AMERICAN VALUES AGENDA

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

Ms. FOXX. Mr. Speaker, earlier this week House, Republicans unveiled the American Values Agenda to defend the commonsense principles upon which our country was founded.

Unfortunately, it seems that activist judges have made it their mission to ban freedoms of religious expression, to deny the basic right to life, to strip law-abiding citizens of their second amendment rights, and to denounce the sanctity of marriage.

My Republican colleagues and I are committed to restoring these values and others by passing a positive legislative agenda which would protect the pledge from being ruled unconstitutional by activist judges, protect the right to display the American flag on residential property, protect the right of communities to make public references to God and faith, protect traditional marriage as a union between one man and one woman, require those that perform late-term abortions to inform the mother that her unborn child will feel pain, prohibit human cloning, apply gambling laws to the Internet, and make tax relief permanent for American families.

Mr. Speaker, I encourage my colleagues to support these very important initiatives.

## HAMAS AND SYRIA

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

Mr. ENGEL. Mr. Speaker, a couple of weeks ago, this House passed a bill cutting off aid to the terrorist group Hamas. Now we see Hamas, with their terrorism, once again capturing an Israeli soldier.

Hamas and Syria are in complicity. As the author of the Syria Accountability and Lebanese Sovereignty Restoration Act, I call on President Bush to implement the rest of the sanctions in the act, which was signed into law, by Syria.

Syria is harboring the head of Hamas, Khaled Meshal, who, it is reported, gave the orders for the capture of the Israeli soldier. Hamas is a terrorist group that is shunned by the rest of the world, and should be shunned by the rest of the world, and all monies cut off until it does three things: renounce terrorism, recognize Israel's right to exist, and abide by all previously signed documents and signed agreements with Israel.

Mr. Speaker, terrorism can never be allowed to rear its ugly head. This shows again the terrorist conspiracy between Hamas and Syria. We ought to take action. It ought to stop.

## GOP STALL TACTICS COULD UNDERMINE BORDER SECURITY

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

Mr. TANNER. Mr. Speaker, it appears that the Republican majority has no interest in securing our borders before the November election. After months of debate in Congress, and several speeches by the President, including one in prime time, it now appears the Republican majority would rather talk about the issue than actually solve the problem.

President Bush has spent a lot of time recently talking about the need for a comprehensive immigration bill. If he really feels strongly about the issue, he should call congressional leaders from both the House and the Senate to the White House and hammer out a compromise. Otherwise, it seems House Republicans are willing to stall until the fall, which we all know would make it impossible to pass a bill before the November election.

Mr. Speaker, it is time the majority take border security seriously. Since September 11, the Bush administration and Republican Congress have severely underfunded border security, breaking their promises to fund new Border Patrol agents, additional detention beds, and additional immigration investigators. Because of these funding failures, our borders are not secure.

It is time that House Republicans stop their stalling and actually come to the negotiating table.

## GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5672, and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. FOLEY). Is there objection to the request of the gentleman from Virginia?

There was no objection.

## SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 890 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5672.

□ 1020

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5672) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, June 28, 2006, the amendment by the gentleman from New York (Mr. HINCHEY) had been disposed of and the bill had been read through page 110, line 8.

Pursuant to the order of the House of Tuesday, June 27, 2006, no further amendments to the bill may be offered except those specified in the previous order of the House of that day, which is at the desk.

Mr. WOLF. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Nevada.

Mr. PORTER. I thank the gentleman from Virginia, and I wish to engage in a colloquy with the chairman.

Mr. Chairman, there are many areas throughout the country that have extremely high tourism rates. The local

law enforcement agencies of these areas have the difficult task of providing services to these tourists on the top of their responsibility to the base population that they represent.

For example, the community of southern Nevada has about 1.8 million people, although we have visitors of over 40 million tourists a year into our community. Local law enforcement is responsible with the safety of these visitors, which places a huge financial strain on the various public safety departments.

The Judiciary Committee has agreed to consider tourism as a factor for law enforcement grants that they authorize and for which your committee provides funding.

Mr. WOLF. Reclaiming my time, I understand the gentleman's concerns, and I am glad the Judiciary Committee has agreed to work with him on this matter. The subcommittee will keep his concerns in mind.

Mr. PORTER. Mr. Chairman, I appreciate this and look forward to working with you and the authorizing committee.

AMENDMENT OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ANDREWS:

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

SEC. ____. None of the funds made available by this Act may be used to implement the revision to Office of Management and Budget Circular A–76 made on May 29, 2003.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

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

Mr. Chairman, the purpose of this amendment is to take a policy that promotes the idea of fair competition and make that policy actually happen in practice.

The A–76 Circular policy ensures that in instances where a Federal Department wishes to contract out a certain function, that there is a fair competition that would ensue between the Federal employees who believe they should continue to serve that function and those who would wish to have the function contracted out. There is a process by which the various costs and benefits are reviewed, there is a process where the consequences are reviewed, and then a decision is made.

The problem with the present process is this: when the contractor wins the competition, the employees do not have a right of appeal if they wish to dispute the finding. On the other hand, if the employees win the competition, the contractor does have the right of appeal. We think that this is an unfair and unfortunate policy.

The purpose of our amendment is to suspend the A–76 process in the Departments covered by this bill until there can be reform and improvement of that process. I wanted to especially thank and commend my friend, the gentleman from North Carolina (Mr. JONES), who is the cosponsor of this amendment and who has worked very diligently and very intensely on this matter. He has a scheduling conflict at this moment, but has worked very hard on this; and I want to be sure that due credit is given for his efforts.

Mr. Chairman, I would urge adoption of the amendment.

I reserve the balance of my time.

Mr. WOLF. Mr. Chairman, the subcommittee accepts the amendment.

Mr. ANDREWS. I thank the chairman and again thank my coauthor, Mr. JONES, and once again urge adoption of the amendment.

Ms. BORDALLO. Mr. Chairman, I rise in support of the amendment to H.R. 5672, the Science, State, Justice, and Commerce Appropriations Act for Fiscal Year 2007, offered by the gentleman from New Jersey (Mr. ANDREWS) and the gentleman from North Carolina (Mr. JONES). This amendment would prevent expenditure of funds in Fiscal Year 2007 for the implementation of a key revision to OMB Circular A–76 that was made on May 29, 2003.

I join many of my colleagues in expressing deep concern over the A–76 process. Adoption of this amendment would encourage conferees for this bill to establish balance in the A–76 process. Federal employees subjected to the A–76 process should be afforded the ability to appeal to the Government Accountability Office a decision to contract-out their position. Private contractors are already afforded a similar-appeal right, under the current process. This is a clear cut issue of fairness.

The A–76 studies conducted and piloted on Guam by the Department of Defense during the late 1990s offer telling examples of the flaws inherent in A–76 implementation. The process on Guam was carried out in a manner which resulted in the depletion of important inherently governmental functions previously performed by federal employees. And in some instances these decisions are proving to have cost the Federal Government precious resources and human capital.

I support reforming the A–76 process to afford public and private parties comparable treatment under this process. This amendment would give federal employees working for agencies funded by this bill the same appeal right currently enjoyed by contractors for those agencies. This is just one piece of the effort to institute some more fairness in the A–76 process.

I urge my colleagues' support for this amendment.

Mr. ANDREWS. I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

The amendment was agreed to.

AMENDMENT NO. 18 OFFERED BY MR. POE

Mr. POE. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. POE:

At the end of the bill, insert after the last section (preceding the short title), the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used by the Secretary of State to implement a plan under section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note) that permits travel into the United States from foreign countries using any document other than a passport to denote citizenship and identity.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, the amendment I offer today strengthens security at our borders. This amendment will require a universal document, a passport, to enter the United States.

Now, people from Mexico, Canada, and the Caribbean islands can enter the United States with a host of documents, including baptismal certificates or no identification at all.

The Intelligence Reform and Terrorism Prevention Act of 2004 acted on the 9/11 Commission recommendations and mandated that all travelers entering the United States present a passport or some other type of identification and citizenship documents when entering the United States beginning January 1, 2008, thus eliminating the current Western Hemisphere passport exception loophole that allows U.S. citizens and nationals of other countries in the Western Hemisphere to present little or no documentation of their identity and citizenship when they cross into our country.

Implementing this simple statutory requirement has been difficult. Over the last couple of years, the State Department has spent a lot of time and a lot of taxpayer money to come up with documents that are alternatives to passports to comply with the law under their Western Hemisphere Travel Initiative. The question is: Why are they going to other documents?

They are doing so because of pressure from outside groups who say passports cost too much, or that they will stifle commerce, which, of course, is not true. This efficient document is a universal document and will actually streamline the crossing of people from Mexico and Canada into the United States. To date, there has been no agreement between State and these groups on the type of alternative documents that will be accepted, and it is unlikely they will come up with some type of alternative document before the deadline.

Essentially, these outside groups have been successful in persuading Congress to consider delaying any changes until they get these types of documents; threatening to kill implementation of the Terrorist Prevention Act and leaving America wide open for maybe another terrorist attack. An example of this has already been found in section 135 of the recently passed Senate immigration bill, which postpones the deadline for compliance until alternative documents have been issued.

Why other types of identification? Why set up a new bureaucracy to issue them? We should use the passport.

Mr. Chairman, we already have a document that denotes citizenship and identity to comply with the law, and it can be used to meet the deadline. It is called the passport. Why do we have to reinvent the wheel of identification? The State Department should be using its resources to reduce costs and expand the issuance of passports and abandon efforts that will ultimately lead to making our borders less safe.

Let me give an example of why this amendment is necessary. The Government Accountability Office, back in 2003, did an investigation to see how vulnerable we are with this Western Hemisphere exception to passports. Here is what their lead investigator said:

''We created counterfeit identification documents in order to establish fictitious identities and entered the United States from Jamaica, Barbados, Mexico, and Canada. The Bureau of Customs and Border Protection staff never questioned the authenticity of these counterfeit documents and our agents entered with absolutely no difficulty entering the United States.''

With the recent terrorist arrests in Canada this month, Mr. Chairman, we cannot afford to wait any longer to secure our borders. If we are forced to wait longer, the next group of people using fictitious documents won't be GAO investigators; they could very well be terrorists.

Mr. Chairman, I encourage the adoption of this commonsense amendment to require passports to enter the United States.

I reserve the balance of my time.

Mr. BASS. Mr. Chairman, I would like to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from New Hampshire is recognized for 5 minutes.

Mr. BASS. Mr. Chairman, I certainly understand and appreciate my friend from Texas's interest in making sure that people are identified at the border. But, quite honestly, this amendment is far, far too restrictive.

I cannot imagine what the impact of this amendment would be on commerce between Canada and the United States. The 49th parallel is the longest undefended border in the world. The trade that goes on between Canada and the United States is amongst the freest in the world.

I would point out that my home State of New Hampshire trades almost $2 billion a year with Canada. The State of Texas trades over $17 billion a year, and 370,000 jobs in the State of Texas are supported by Canadian industry.

I can't imagine, Mr. Chairman, what would happen in Michigan or in the Detroit area with the auto manufacturers if all these people that go back and forth between Windsor, Ontario, and Detroit had to get passports.

Now, the government has worked, with the support of the Judiciary Committee here, on a plan to provide a pass that would be cheap, it would be counterfeit proof, and the Federal Government will issue it.

□ 1030

It will be somewhat like a driver's license. I understand my friend's concern about the fact that driver's license and other forms of ID are not universal and are easy to counterfeit, but we are working on a plan that will provide this kind of identification without having to go through the cumbersome expense and time required to get a U.S. passport.

The passage of this amendment would have serious implications for our relationship with Canada. I appreciate the gentleman's concern with Mexico to the south, but this amendment, in its restrictive nature, will really limit the economy. It would be devastating to the United States. It would be devastating to the lifestyles of people who are used to going back and forth over the border. It would be devastating to the tourism industry along the Canadian border. It would be devastating to trade. I urge that this amendment not be accepted.

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

Mr. POE. I reserve the balance of my time.

Mr. BASS. Mr. Chairman, I believe I have the right to close.

The CHAIRMAN. No, the gentleman from Texas has the right to close.

Mr. BASS. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman has 3 minutes remaining.

Mr. BASS. Mr. Chairman, as I said a moment ago, this amendment is far too restrictive. We have all sorts of different programs that are under development right now, the NEXUS card, the SENTRI system and the PASS card, as I mentioned a minute or two ago. If this amendment were to pass, all those programs would be for naught.

The passport is indeed as secure a document as you can get, but time has passed since passports were developed in their present form, some 40 or 50 years ago. There is modern technology that can provide American workers and tourists and citizens the proper identification at a much lower cost and make it possible for them to get back and forth across the border more quickly than they would and less expensively than they would with a passport.

I urge my colleagues to oppose this amendment, because the impact of it would be devastating for the economy of the United States. It would be devastating for the relations that we have with our neighbor to the north, which are amongst the best in the world.

I met with seven members of the Canadian Parliament yesterday, and they brought up this very issue, that they were concerned about the restrictions that might be placed upon American travel to the north. So I hope this amendment is not successful, despite the fact that I respect my friend from Texas' good intentions.

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

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word, and I also rise in opposition to the amendment.

Mr. Chairman, this is a simple solution to a complicated problem that is being worked on at a number of different levels. I know that the authorizers, which you just heard from in the authorizing committee, they are very supportive of the implementation of the Western Hemisphere Travel Initiative and they are working hard on that. Because it is a complicated problem, we have experts not only in the House of Representatives and the United States Senate in the legislative branch but also in the executive branch; and they are working to accommodate this problem to all of the real needs out there.

The U.S. military, Federal agencies, travelling, they are working on identification processes. This amendment, for example, would preclude the use of secure identification issued by the U.S. military and Federal agencies that would not be accepted under this amendment.

It would be extremely unfortunate as all this work has been done in order to ensure that we can have quick access across the border and perfectly adequate, secure identification and do it in a way that accommodates all of the needs.

Finally, I would like to say, this is an authorizing issue and really not an issue appropriately considered here on this appropriation bill. It is complicated, as the gentleman has mentioned. It is too simple a solution and not appropriately considered in this forum.

Mr. POE. How much time do I have, Mr. Chairman?

The CHAIRMAN. The gentleman from Texas has 1½ minutes remaining.

Mr. POE. Mr. Chairman, this amendment provides a universal document. Every country in the world requires passports to enter their nation. A passport is a secure document. Why are we trying to invent another type of identification, or multiple types of identification, so that we can have people from Canada and Mexico come up with those documents to enter the United States?

That is part of the problem we have now. There is no identification. There is some identification like baptismal certificates or marriage licenses to prove identity. Use the universal document like a passport. Then we can record who comes into the United States and who leaves the United States. We don't even do that now.

With a universal passport that everybody has, provided by their government, it will streamline the process. It will make it quicker and easier for Canadians to come into the United States, for Americans to travel back and forth across our common borders.

I urge adoption of this amendment, this commonsense amendment to require a passport to enter the United States.

Mr. MOLLOHAN. Will the gentleman yield?

Mr. POE. I will.

Mr. MOLLOHAN. The gentleman really answers the question why should we even consider it here. You say, why should we not use this?

That is exactly why this ought to be considered by the authorizing committee. We ought to have testimony taken by the authorizing committee to explore the questions why we should not jump to this simple solution to a very complicated problem. The gentleman's question, I think, is proof in and of itself of why we shouldn't be considering this question here on the floor today.

Mr. MANZULLO. Mr. Chairman, I understand the frustrations with the Mexican border that drove my good friend, Representative TED POE, to offer this amendment. But this amendment is a sledgehammer to kill a gnat.

The Western Hemisphere Travel Initiative (WHTI) applies to all air, sea, and land entries into the United States by January 1, 2008. There is a vast difference between the Mexican and Canadian land borders. As Chairman of the Canadian-U.S. Interparliamentary Group, I know that requiring everyone crossing the U.S.-Canadian border to have a passport is unrealistic, would devastate our economy, and would divert precious limited resources away from prosecuting true threats to our national security. Just yesterday, I met with a group of Canadian Members of Parliament from Alberta visiting Washington, DC who once again raised this issue as the top irritant in our bilateral relations.

Only 40 percent of Canadians and 20 percent of Americans have passports. I am not a fan of WHTI. But at least it attempts to solve the conundrum of improving border crossing documents without requiring everyone to spend $97 to purchase a passport that takes six to eight weeks to get delivered. Already, the rumors that a passport is required for Canadians to drive into the United States have cost our economy over half a billion dollars. It also obviously affects the Canadian economy. One planned multi-million dollar resort complex in British Columbia was scrubbed based on the threat of a passport requirement.

Yes, it's true that the Canadians are more liberal with their immigration and asylum policies than we are. But I am satisfied that the Canadians are addressing border security in a responsible fashion. With the new Conservative government in power in Canada, I am more confident that they will continue to fix the problems in this area left undone by the previous Liberal government.

Finally, it's important to remember that no 9/11 terrorist came from Canada. In the only documented case from Canada—the Millennium bomber—the terrorist was caught by our border officials not because of documentation problems but because of human intuition. Some assert that Canada has at least 50 terror groups present and strongly infer Canada's alleged incompetence for not rounding up these individuals. Yet, they fail to recognize that if these individuals do nothing illegal, you can't arrest or deport people indiscriminately. U.S. authorities believe that there are somewhere between 50 and 100 Hamas and Hezbollah operatives in America and that al-Qaida sleeper cells are believed to be operating in 40 states, awaiting orders and funding for new attacks on U.S. soil. Yet, we haven't arrested these people. Why should Canada be held to a different standard?

When there is evidence of terrorist activity, the Canadians act. Earlier this month, the Royal Mounted Police captured the latest terrorist cell inside Canada, thanks in part to good cooperation with U.S. law enforcement officials, and have acted forcefully and effectively in intercepting these and other terrorists before they can enter into the United States. This is where our efforts should be directed, not in forcing U.S. schoolchildren to obtain a passport simply to play in a Pee-Wee hockey tournament in Thunder Bay. Mr. Chairman, I urge a "no" vote on the Poe amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

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

Mr. POE. 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 Texas 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 Clerk designated the amendment.

Mr. WOLF. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent that the amendment be read in its entirety.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act for ''OFFICE OF JUSTICE PROGRAMS—JUSTICE ASSISTANCE'' may be used to fund State or local anti-drug task forces that do not collect, and make publicly available, data as to the racial distribution of convictions as result of their operation.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I want to share with Mr. MOLLOHAN and Mr. WOLF that, as we proceeded through the bill, we recognize the challenges that you face as appropriators and the difficulties of this legislative process in the appropriations process. I want it to be known that I have legislation on this Tulia example that this example or amendment tries to track.

Tulia, Texas, is a community that experienced abuse of power. We always want to celebrate good law enforcement, and they have a tough job. I meet with my local law enforcement. I try to find more resources for them to do their jobs, as I am attempting to do in Houston, Texas, as we work together to provide more funding for some of the challenges we have in the criminal justice system.

But in Tulia, Texas, more than 100 persons in that community were eventually tried and convicted in false drug charges; and it was on the testimony of one single law enforcement officer who ultimately, of course, was removed and himself indicted for perjury.

The Jackson-Lee amendment seeks to restore justice into justice systems by making the operation of federally funded State and local anti-drug task forces more transparent in order to prevent civil rights abuses such as those that occurred in Tulia, Texas, and more recently in Hearne, Texas. Grants for the local State and anti-drug task forces come from the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs.

I am an ardent proponent of initiatives that strengthen and support our law enforcement agencies. Furthermore, as a member of the Committee on Homeland Security and the Subcommittee on Crime, Terrorism and Homeland Security, I make it a goal whenever possible to advocate for increased funding facilities, better facilities, training and equipment, and for improved interruptible communications for first responders and law enforcement officials.

However, with this amendment, I seek a simple concept, something that is not an extra added burden. The data is already there. I seek to restore the integrity, the honesty, the even-handedness and even judiciousness of our law enforcement agencies by asking them to collect and make publicly available data as to the racial distribution of convictions they garnered as a result of their operations.

The question is whether one population over another is targeted.

By asking for the collection and publication of such data, the Jackson-Lee amendment holds State and local recipients accountable for the manner in which they conduct their anti-drug programs and deter law enforcement agencies or individual rogue cops from engaging in racial profiling if they seek to receive Federal funds under this bill.

Mr. Chairman, first of all, let me say this is not a labeling of our law enforcement on the front line. This is just simply asking for reporting that is prescribed under the amendment that is authorized in law as filed in 42 U.S.C. 3782, 42 U.S.C. 3759 and 42 U.S.C. 3789(e), the Byrne program, as well as 42 U.S.C. 3751 and 3753.

Section 3782 lays out the parameters of the establishment of rules, regulations and procedures that are necessary for exercise of agency functions in carrying out the provisions of Byrne. Specifically, it authorizes a promulgation of rules and regulations that ensure that the entire program has a high probability of improving the criminal justice system and is likely to contribute to the improvement of the criminal justice system and a reduction and prevention of crime.

More importantly, Mr. Chairman, however, the rules and regulations promulgated must help the reporting agencies determine the program's impact on communities and participants. The very negative results of the program that we saw in Tulia and Hearne, Texas, clearly and unequivocally contravene these provisions. The Jackson-Lee amendment seeks to correct this problem.

Mr. Chairman, lives were interrupted. Mothers lost sons and daughters to jail time. I would ask for those who are unfamiliar with this case to just look on the Web site. You will find this is a unique case, when more than 100 people were sent to the judicial system, incarcerated, tried, convicted, and they were innocent. There were people who were not even around that this officer, through funding, testified against.

I would simply ask that this amendment be accepted by my colleagues, because what it does is ask for justice, and it asks for the facts. If you have done the crime, you do the time. We understand that.

But what we want to say is that 15 percent of the African American population of Tulia was arrested, prosecuted, sentenced to decades in prison based on uncorroborated testimony of a federally funded undercover officer who had a record of racial impropriety in the course of enforcing the law. Let us not have this happen again.

I ask my colleagues to support the amendment.

Mr. Chairman, I rise to offer an amendment to H.R. 5672, which states that none of the funds made available in this Act under the heading "Office of Justice Programs—Justice Assistance" may be used to fund State or local anti-drug task forces that do not collect, and make publicly available, data as to the racial distribution of convictions as a result of their operation.

The Jackson-Lee amendment seeks to restore "justice" into the justice system by making the operation of federally funded state and local anti-drug task forces more transparent in order to prevent civil rights abuses such as those that occurred in Tulia, Texas, and more recently in Hearne, Texas.

Grants to fund state and local anti-drug task forces come from the "Edward Byrne Memorial State and Local Law Enforcement Assistance Programs (Byrne Program)," in Title 42 U.S.C., Subchapter V. I am an ardent proponent of initiatives that strengthen and support our law enforcement agencies. Furthermore, as a member of the Committee on Homeland Security and the Subcommittee on Crime, Terrorism, and Homeland Security, I make it a goal whenever possible to advocate for increased funding, better facilities, training, and equipment, and for improved interoperable communications for first responders and law enforcement officials.

However, with this amendment, I seek to restore the integrity, honesty, evenhandedness, and judiciousness of our law enforcement agencies by compelling them to collect and make publicly available data as to the racial distribution of convictions they garnered as a result of their operations. By compelling the collection and publication of such data, the Jackson-Lee amendment holds state and local grant recipients accountable for the manner in which they conduct their anti-drug programs and deters law enforcement agencies from engaging in racial profiling if they seek to receive federal funds under this bill.

Mr. Chairman, the type of reporting that is prescribed under my amendment is authorized in law as found in 42 U.S.C. 3782, 42 U.S.C. 3759, and 42 U.S.C. 3789e, the Byrne Program as well as 42 U.S.C. 3751 and 3753.

Section 3782 lays out the parameters of the establishment of rules, regulations, and "procedures that are necessary to the exercise" of agency functions in carrying out the provisions of Byrne. Specifically, it authorizes the promulgation of rules and regulations that ensure that the entire program has a "high probability of improving the criminal justice system" and is "likely to contribute to the improvement of the criminal justice system and the reduction and prevention of crime." More importantly, however, the rules and regulations promulgated must help the reporting agencies determine the program's "impact on communities and participants." The very negative results of the program that we saw in Tulia and Hearne, Texas, clearly and unequivocally contravene these provisions, and the Jackson Lee amendment seeks to correct this problem.

Section 3789e contains a report to the President and to Congress that relates to the nature of the activities conducted under this program. The Jackson-Lee amendment seeks to ensure that unethical and dishonest application of anti-drug task forces funded under this program do not slip through the cracks. Mr. Chairman, this amendment is vital to protecting the integrity and the evenhandedness of the activities funded under this program. Many years of Civil Rights jurisprudence and law have been ignored and thrown out the window when America permitted situations such as that in Tulia and Hearne to take place with impunity.

In recent years, it has become clear that programs funded by the Edward Byrne Memorial Justice Assistance Grant program have borne opportunities for the abuse of the penal system, racially disparate treatment, corruption and tainting of law enforcement agencies, and the commission of civil rights abuses across the country. This is especially the case when it comes to the program's funding of hundreds of regional narcotics task forces. Operation of anti-drug task forces around the country, which has lacked state or federal oversight, has been riddled with corruption and is the root of some of America's most horrific law enforcement-related scandals.

One of the better known federally-funded anti-drug task force scandals occurred in Tulia, Texas, several years ago. Fifteen percent of the African American population of Tulia was arrested, prosecuted, and sentenced to decades in prison based on the uncorroborated testimony of a federally-funded undercover officer who had a record of racial impropriety in the course of enforcing the law. The Tulia defendants have since been pardoned, but these kinds of scandals continue to plague the Byrne grant program.

More recently, on May 11, 2005, the District Attorney of Robertson County in Hearne, Texas, and the South Central Texas Narcotics Task Force, in a case filed by the American Civil Liberties Union on behalf of 28 African Americans, offered to settle their case after 5 years of litigation. This case arose from the arrest of 28 individuals—out of 4,500 other residents of Hearne in November 2000 on charges of possession or distribution of crack cocaine. During litigation, the presiding judge was asked to dismiss the charges because they were based on evidence from an unreliable informant, as reported to the Houston Chronicle.

These scandals are not the result of a few "bad apples" in law enforcement; they are the result of a fundamentally and systemically flawed bureaucracy that is prone to corruption by its very structure. Byrne-funded regional anti-drug task forces are federally funded, state managed, and locally staffed, which means they do not really have to answer to anyone. In fact, their ability to perpetuate themselves through asset forfeiture and federal funding makes them unaccountable to local taxpayers and governing bodies.

I urge my colleagues to support this amendment to ensure that state and local law enforcement agencies are held accountable and discouraged from engaging in racial profiling.

POINT OF ORDER

Mr. WOLF. Mr. Chairman, I make a point of order against the amendment, because it proposes to change existing law and constitutes legislation in an appropriation bill. It, therefore, violates clause 2 of rule XXI. The rule states in pertinent part, "an amendment to a general appropriation bill shall not be in order if changing existing law." The amendment requires a new determination.

I ask for a ruling from the Chair.

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

Ms. JACKSON-LEE of Texas. Yes.

THE CHAIRMAN. The gentlewoman is recognized.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I know that procedurally,

even though I cite a number of sections which I believe would comply with removing the point of order, might I say that, in the course of the gentleman's response, I would just simply say to him that, because this is such a repetitive incident, such as the one that occurred in Hearne, Texas, and a South Central Texas narcotics case and a case filed by the American Civil Liberties on behalf of 28 African-Americans, that the case was offered to settlement, this case arose from the arrests of 28 individuals out of 4,500 other residents of Hearne in November, 2000, on charges of possession or distribution of crack cocaine.

That, again, was an example where this individual, using Federal monies, had given misinformation to the judicial system. These scandals point out the bad apples. I think this is sufficient.

The CHAIRMAN. The gentlewoman will suspend. The gentlewoman must confine her remarks to the point of order.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I will.

I wish there were a waiver of the point of order, but on the basis of the gentleman's point that was made, I hope that we have made our point.

At this point, I will concede the point of order, looking forward for my legislation to pass, and ask to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 7 OFFERED BY MR. HEFLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. HEFLEY:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. Total appropriations made in this Act are hereby reduced by $598,390,000.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, June 27, 2006, the gentleman from Colorado (Mr. HEFLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

□ 1045

Mr. HEFLEY. Mr. Chairman, I rise again today to offer an amendment to cut the level of funding in this appropriations bill by 1 percent. This amount equals more than $598 million, which is one penny off of every dollar appropriated in this bill.

As you know, I have offered these kinds of amendments for most of the appropriation bills that we have considered so far this year, and if they had all been accepted, one penny off a dollar, we would have saved $2.2 billion.

The appropriations made in this particular bill represent an increase of approximately $140 million more than the administration's request for 2007. In addition, this bill also reflects an increase of more than $2.6 billion over last year's appropriations bill, an increase that I think is just unacceptable in light of our deficit.

Mr. Chairman, I would encourage support of the amendment.

I reserve the balance of my time.

Mr. WOLF. Mr. Chairman, I rise in strong opposition to the gentleman's amendment to cut $598 million from the bill. As the gentleman can see from the debate, and the other amendments offered on the bill, many Members feel the funding for a whole host of programs in this bill is already inadequate. The budget resolution passed by the Congress has imposed upon us a very restrictive spending climate. This amendment constitutes attempts to reopen the decisions we have already made in the budget resolution.

The bill we are considering today stays within the budget resolution framework and represents a lot of hard work and hard decisions to match limited funds to competing national priorities. A number of accounts in the bill are funded very close to the bone. A reduction of 1 percent, many salaries and expenses would have a fairly dramatic and highly negative impact.

I would ask my colleagues to oppose this amendment.

Ms. JACKSON-LEE of Texas. Will the gentleman yield?

Mr. WOLF. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Knowing your history, Mr. Chairman, and many of these important efforts, particularly in the State funding, I just wanted to mention that any 1 percent cut would impact child survival and health programs, global funds to fight AIDS, tuberculosis and malaria, the Development Assistance Fund, the International Disaster and Famine Assistance. These are varied programs that simply cannot afford any more of a cut.

We are obviously fighting international poverty. The U.S. Global Leadership Campaign has been on the Hill this past week. Secretary of State Powell and Secretary Albright have begged us to maintain our investment in these areas. And I can't imagine what a 1 percent cut would do to this very, very small part of the budget, which is 1.2 percent. And I would hope that our colleagues would see the necessity of having a better face or a continuing face to fight against issues dealing with children, HIV/AIDS, tuberculosis, malaria.

I hope that we can oppose this amendment for the devastation it would do to many programs that put the face of America to the world.

Mr. WOLF. Mr. Chairman, I urge a ''no'' vote on the amendment.

I yield back the balance of my time.

Mr. HEFLEY. Mr. Chairman, I would just point out to the gentlewoman from Texas that these amendments are couched in such a way that they are not 1 percent across the board in every program in any of these bills. It is 1 percent total out of the bottom line or the top line, whichever way you want to say it, in the bill. And that means that the administration, the Department, can look at it and decide what is really needed and what is not. And if you will notice from some of the amendments we have had in the last day or two, this bill is riddled with earmarks for special little projects across the country in various districts. And, frankly, I don't know why the people of Colorado should have to pay for things in other districts that are strictly for those other districts like we had in some of the Flake amendments yesterday.

So we are not talking about a 1 percent. You can always mention, in every bill there is lot of good stuff. I have great respect for the chairman and the ranking member here. They have worked hard on this. There is much that is very, very good that I too would not want cut in this bill. But if we can't find one cent out of every dollar, then I think there is something very wrong.

I yield back the balance of my time.

Mr. WOLF. Mr. Chairman, I move to strike the last word.

I just want to thank the Chair for presiding very, very fairly and for correcting me on mistakes that I made without people knowing that I made the mistakes. But I think it was always very good to look up there and see your fair face, and you were very, very fair, I think, on both sides. I personally want to thank you very, very much on this bill but on many others that I have watched, but seeing you all day yesterday. So thank you.

Also thank the staff on both sides of the aisle for the great job that they have done and the Members, and again, Congressman HASTINGS, I thank you very much.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado.

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

Mr. HEFLEY. 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.

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 No. 18 by Mr. POE of Texas.

Amendment No. 7 by Mr. HEFLEY of Colorado.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 18 OFFERED BY MR. POE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment 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 amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 90, noes 318, not voting 24, as follows:

[Roll No. 347]

AYES—90

Aderholt
Akin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Beauprez
Berry
Bilbray
Bilirakis
Blackburn
Bonner
Bono
Boozman
Boren
Burgess
Buyer
Campbell (CA)
Cantor
Capito
Capuano
Chandler
Chocola
Cramer
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
Dent
Doolittle
Duncan
Everett
Foley
Foxx
Gibbons
Gingrey
Goode
Gordon
Graves
Hall
Harris
Hayworth
Hunter
Istook
Jenkins
Jindal
Jones (NC)
Kelly
King (IA)
Lewis (KY)
Linder
LoBiondo
Lynch
Marchant
Matheson
McCaul (TX)
McHenry
McIntyre
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Ney
Norwood
Otter
Paul
Platts
Poe
Price (GA)
Radanovich
Rogers (AL)
Rohrabacher
Ross
Royce
Saxton
Sessions
Shays
Shuster
Stearns
Sullivan
Tancredo
Taylor (MS)
Taylor (NC)
Wamp
Westmoreland
Wilson (SC)
Wu
Young (FL)

NOES—318

Ackerman
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bass
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Butterfield
Calvert
Camp (MI)
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gohmert
Gonzalez
Goodlatte
Granger
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Hart
Hastings (FL)
Hastings (WA)
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Northup
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Shimkus
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wolf
Woolsey
Wynn

NOT VOTING—24

Abercrombie
Bishop (UT)
Cannon
Culberson
Diaz-Balart, L.
Evans
Fitzpatrick (PA)
Ford
Gerlach
Hayes
Holden
Holt
Johnson, Sam
Jones (OH)
Kanjorski
Manzullo
Marshall
Millender-McDonald
Moran (VA)
Olver
Rush
Sherwood
Whitfield
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 1118

Ms. KILPATRICK of Michigan, Ms. CARSON and Mrs. McCARTHY and Messrs. TIERNEY, MELANCON, GUTKNECHT and MURPHY changed their vote from ''aye'' to ''no.''

Ms. BEAN, Mrs. JO ANN DAVIS of Virginia and Mrs. BONO and Messrs. GORDON, SAXTON, ISTOOK, STEARNS, BOOZMAN, NEUGEBAUER, DAVIS of Tennessee, LYNCH and BOREN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MORAN of Virginia. Mr. Chairman, on rollcall No. 347, I was unavoidably detained. Had I been present, I would have voted ''no.''

Ms. MILLENDER-McDONALD. Mr. Chairman, on rollcall No. 347, I was detained and was unable to get to the floor before the roll closed. Had I been present, I would have voted ''no.''

(By unanimous consent, Mr. BOEHNER was allowed to speak out of order.)

LEGISLATIVE PROGRAM

Mr. BOEHNER. Mr. Chairman, I want to give all the Members an idea of what the schedule for the day is. After the passage of this bill, we will move to the rule on the Deep Water Recovery Act, the OCS bill, and the rule on the resolution with regard to the disclosure of the SWIFT Program. Once those two rules have been considered, there will be votes, and then we will move to the OCS bill and then finally to the resolution.

We expect to complete our week's work by 6 or 6:15 this evening. I am trying to give everyone as much notice as we can. That is the schedule as I see it.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Without objection, the 5-minute vote will continue.

There was no objection.

AMENDMENT NO. 7 OFFERED BY MR. HEFLEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The 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 94, noes 316, not voting 22, as follows:

[Roll No. 348]

AYES—94

Akin
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bass
Bean
Beauprez
Bilbray
Bilirakis
Blackburn
Burton (IN)
Buyer
Campbell (CA)
Chabot
Chocola
Coble
Cooper
Davis (KY)
Davis (TN)
Deal (GA)
Diaz-Balart, M.
Duncan
Everett
Feeney
Flake
Foley
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gohmert
Graves
Green (WI)
Gutknecht
Harris
Hart
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Inglis (SC)
Issa
Jenkins
Jindal
Jones (NC)
Keller
King (IA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
McCotter
McHenry

McMorris
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Pitts
Poe
Price (GA)
Radanovich
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Stearns
Sullivan
Tancredo
Tanner
Taylor (MS)
Terry
Thornberry
Tiberi
Westmoreland
Wilson (SC)
Young (FL)

NOES—316

Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Barton (TX)
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hastings (WA)
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney
Marchant
Markey
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn

NOT VOTING—22

Abercrombie
Bishop (UT)
Brady (TX)
Cannon
Conyers
Culberson
Evans
Fitzpatrick (PA)
Ford
Gerlach
Hayes
Holden
Holt
Johnson, Sam
Jones (OH)
Kanjorski
Manzullo
Marshall
Moore (WI)
Rush
Sherwood
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 1127

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. There being no further amendments, the Clerk will read the last lines.

The Clerk read as follows:

This Act may be cited as the ''Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2007''.

Mr. FARR. Mr. Chairman, I rise today in strong support of the United Nations.

The mission of the U.N. today is as relevant as it was in 1945 when this global forum was established: preserving peace through international cooperation and collective security. Cutting U.S. funding to the U.N. not only undermines the efforts of the U.N. but also reduces the United State's ability to influence reform at the U.N. Government entities by their very own definition are not perfect institutions, and the U.N. is no exception. But the U.N. is actively engaged in review and assessment of its organizations to ensure that they are effective and consistent with the core mission. The U.N. has already taken some important steps in much needed reform, like the creation of an ethics office. It has created new bodies to address the new threats of the 21st century, like the Peacebuilding Commission that will work to assist countries in the difficult transition from conflict to sustainable peace. I believe that the U.S. must be an active participant in the U.N., and push for appropriate reforms that make the U.N. more responsive to the changing challenges of the 21st century. The U.S. and Congress in particular, can support these reform efforts by robustly funding the U.N. and not undermining U.S. standing at the U.N. with amendments and rhetoric that unnecessarily criticize the U.N. without assigning any value to the important work they do.

Now more than ever, the world needs the United Nations to be successful.

Mr. LEVIN. I rise to point out a serious shortcoming in the FY07 Science, State, Justice, Commerce Appropriations bill. Manufacturing has a proud history in this country as the engine that created our middle class—a source of good jobs, steady benefits, and quality products for consumers. While I will support the overall bill, I am concerned that it does not provide adequate resources for the Manufacturing Extension Partnership, or MEP.

MEP is a small, but proven program that helps small manufacturers compete globally by giving them access to technologies and processes that improve their productivity and their products.

By proposing to cut MEP by more than 50 percent, the President has again demonstrated his upside-down priorities and refused to acknowledge the manufacturing jobs crisis in this country. Since 2001, manufacturing states like Michigan have lost a median 17 percent of their manufacturing jobs—an average of more than 75,000 jobs per state. Yet the Bush Administration has ignored the importance of preserving our manufacturing base at every turn—refusing to enforce U.S. trading rights here and overseas, failing to take advantage of opportunities to create new markets for American goods, and repeatedly proposing funding cuts for programs that spur innovation and forward progress here at home.

I understand that the Subcommittee has tried to do its best with inadequate resources, and I appreciate that the $92 million provided for MEP in the bill is a significant improvement over the President's request. But we have to do more than turn a 50 percent cut into a 15 percent cut.

I hope that as this bill moves forward, we will be able to restore funding for MEP to the current level of $106 million. The consequences of not doing so are serious: 2,100 fewer manufacturers would receive MEP's valuable services, resulting in 5,760 fewer manufacturing jobs in this country. By way of comparison, last year in Michigan alone, MEP helped create or retain almost 2,000 jobs and almost $190 million in sales.

In a word, fully restoring funding for MEP to the current level is critical. It is critical to our small manufacturers and to the workers and families that rely on them.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of the Science, State Justice and Commerce Appropriations bill for Fiscal 2007 and commend the Chairmen and Ranking Members of the full committee and the subcommittee for producing a bill that is worthy of support.

While there are many laudable provisions of this bill, I would like to turn the House's attention to an amendment offered in full committee last week by the gentleman from New York, Mr. SWEENEY.

My colleagues, many American families have long stood vigil on behalf of their family members who were murdered on December 21, 1988 on Pan Am 103 over Lockerbie Scotland. We must never forget the pain and suffering of the families affected by this horrible act and Muammar Qadhafi and others must be held responsible.

It is our job today to ensure that America requires Libya to fully honor its commitment to the victims of Pan Am 103.

In recent years, the Libyan government has come forward and expressed an interest in becoming a member of the international community.

However, at the same time, I remain concerned that Libya has yet to meet its financial

commitments to the families of the Americans killed in Pan Am Flight 103 and may be implying that all claims in this case are settled.

It is imperative that the Libyan government meet its commitments before diplomatic relations are restored. We must be resolute in the face of terrorism and we must hold Libya to their commitment to their victims' families.

As we are aware, Libya made a commitment in 2003 to pay compensation to these families in the amount of $2.7 billion. While part of that package has been paid, $536 million of the settlement is still outstanding.

Under the agreement reached with the families, this money was to be paid upon Libya's removal from the list of state sponsors of terror. Now that this has happened, the United States Government must stand on principle and prevent our families from being victimized again.

The Sweeney amendment has a simple purpose—to bar our Government from funding any activity related to restoring diplomatic relations with Libya until Libya honors the financial commitments it made to the families of the victims of the 1988 bombing of Pan Am flight 103.

And, even more important than the financial obligation is the need to bring those responsible for the destruction of Flight 103 to justice. Money can never compensate for the cold-blooded murders by state-sponsored acts of terror.

Mr Chairman, I urge support for the amendment and the base appropriations bill.

Mr. STARK. Mr. Chairman, I oppose the Science, State, Justice, Commerce, and Related Agencies Appropriations Act for fiscal year 2007 because I refuse to pretend that partially restoring the President's reckless cuts to important programs is the best we can do. We are administering death by a thousand cuts to the basic functions of government to finance tax breaks for millionaires and an open-ended war in Iraq. And we're going to borrow over $300 billion to do it.

In this bill, I find particularly objectionable the $563 million cut from the National Oceanic and Atmospheric Administration, including a $47 million cut from the Pacific Coast Salmon Recovery Fund; the $20 million cut from economic development projects in distressed areas; and the $117 million cut for dues to the United Nations and other international organizations. The bill robs from these and other critical programs to avoid eliminating assistance to state and local law enforcement, as requested by the President, although law enforcement still suffers a $150 million cut from last year.

I urge my colleagues to join me in rejecting this bill to force the Bush Administration and Republican Congress to start making responsible choices with the American people's money.

Mrs. MALONEY. Mr. Chairman, I rise today to express my support for H.R. 5672, the Science-State-Justice Commerce Appropriations bill.

This legislation includes approximately $176,000,000 for a DNA analysis and capacity enhancement program and other local, State, and Federal forensic activities. Of this funding, not less than $151,000,000 is directed toward the Debbie Smith DNA Backlog Grant Program which help to reduce and eliminate the backlog of DNA samples and increase State and local DNA laboratory capacity.

I met Debbie Smith five years ago when she came to Washington to testify at a hearing about the importance of DNA evidence. The evidence collected from her rape sat on a shelf for years waiting to be analyzed. After hearing her story, I resolved to do something about the hundreds of thousands of rape kits that were sitting on shelves, unanalyzed, because of a lack of funding. "The Debbie Smith Act" became law in 2004, and with the critical funding provided by Congress, DNA evidence will be analyzed and rapists put behind bars. I commend Chairman WOLF and Ranking Member MOLLOHAN for their steadfast support for this issue.

I also am pleased that this legislation contains $21,488,000 to enhance State and local efforts to combat trafficking of persons, as authorized by legislation that I sponsored with Representative DEBORAH PRYCE (R–OH), the "End Demand for Sex Trafficking Act." This funding will also go toward conducting comprehensive research and statistical review of sex trafficking and unlawful commercial sex acts in the United States.

Approximately 600,000 to 800,000 people are trafficked across international borders each year. However, trafficking is not just a problem in other countries. Each year, men, women, and children from all over the world are brought into the United States for the sole purpose of being bought and sold by American citizens for commercial sex. And the victims are often Americans.

I have worked on the trafficking issue for many years including working to stop sex tour operators like Big Apple Oriental Tours, which is based in New York City, from sexually exploiting impoverished women and girls in developing countries.

It is important that we protect the victims of the sex trade industry, and punish the predators that exploit them. This funding is an important step in preventing the many human rights abuses inflicted on men, women, and children around the world.

I urge my colleagues to support this legislation.

Mr. WOLF 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. GINGREY) having assumed the chair, Mr. HASTINGS of Washington, 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. 5672) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, had directed him to 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 SPEAKER pro tempore. Pursuant to House Resolution 890, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed 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.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 393, nays 23, not voting 16, as follows:

[Roll No. 349]

YEAS—393

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Coble
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney

Marchant
Markey
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—23

Cooper
Delahunt
Duncan
Eshoo
Flake
Franks (AZ)
Green (WI)
Hefley
Hensarling
Hostettler
Jones (NC)
Matheson
Miller, George
Paul
Pence
Petri
Ryan (WI)
Sensenbrenner
Shadegg
Stark
Tanner
Taylor (MS)
Thompson (CA)

NOT VOTING—16

Bishop (UT)
Cannon
Clyburn
Evans
Fitzpatrick (PA)
Ford
Gerlach
Hayes
Holden
Holt
Johnson, Sam
Kanjorski
Manzullo
Marshall
Sherwood
Woolsey

□ 1146

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PROVIDING FOR CONSIDERATION OF H.R. 4761, DEEP OCEAN ENERGY RESOURCES ACT OF 2006

Mrs. CAPITO. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 897 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 897

*Resolved,* That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4761) to provide for exploration, development, and production activities for mineral resources on the outer Continental Shelf, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. House Resolutions 162, 163, 181, 182, 393, 395, 400, 401, 468, and 620 are laid upon the table.

The SPEAKER pro tempore (Mr. SIMPSON). The gentlewoman from West Virginia (Mrs. CAPITO) is recognized for 1 hour.

Mrs. CAPITO. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

The Rules Committee granted a fair rule for consideration of H.R. 4761 providing for 1 hour of debate equally divided and controlled between the Chair and the ranking member of the Committee on Resources.

The rule waives all points of order against consideration of the bill and provides that the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered read.

The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on Resources.

The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution and provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

The rule waives all points of order against the amendments printed in the report and provides one motion to recommit, with or without instructions.

The rule provides that House Resolutions 162, 163, 181, 182, 393, 395, 400, 401, 468 and 620 are laid upon the table.

Mr. Speaker, this Nation faces an energy crisis that is impacting our constituents across the country. In my district of West Virginia, many lower and middle income citizens, especially our seniors on fixed incomes, are being impacted by the soaring prices at the pump and rising home heating costs. Not only does this blow a hole in the budgets of many families, it also has an impact on the Federal budget; and correctly, in my view, we sought to increase the funds for LIHEAP to help those in the lower and middle income range.

The crisis also impacts jobs. Energy prices make adding jobs more challenging for small business owners as their transportation and energy costs skyrocket. The impact has been felt by larger, community sustaining industries.

The Kanawha Valley in my district has long been one of the largest centers of the Nation's chemical industry. These chemical plants use natural gas as both an energy source and as a feedstock. The cost of energy is one factor that has led to job losses in this important industry and has decimated the large chemical industry in the Kanawha Valley. These jobs have gone overseas.

The American Chemistry Council estimates that since the price of natural gas began to spike the chemical industry has lost more than $60 billion to foreign competitors because investors are wary of expensive natural gas in the United States. This has cost over 100,000 jobs nationwide in the chemical industry, about 10 percent of that total industry workforce.

Last month, hundreds of employees from West Virginia chemical plants wrote me asking that Congress pass legislation to allow drilling in the

outer Continental Shelf as a means of preserving their jobs. Mr. Speaker, we must reduce our reliance on foreign oil and make commonsense use of our domestic energy resources in order to protect these West Virginians and others like them across the country.

H.R. 4761 takes a commonsense approach in making use of our country's energy resources along the outer Continental Shelf to help meet our vast energy needs. The legislation passed the Resources Committee by an overwhelmingly bipartisan vote of 29–9, and I am proud to be one of the 112 cosponsors of this bill.

This legislation will impact the price consumers pay at the pump. I know every Member of Congress, and all of us, are feeling the pain when we go to the pump. Natural gas prices are set on a local, not a global, market. The United States pays the highest natural gas prices in the world, and it is no surprise that countries that make use of their own natural gas reserves pay the lowest prices. We can make a real difference for consumers by passing this bill.

Many of my colleagues will talk about addressing alternative fuels as a means to solving our energy crisis, and I certainly agree this must be part of the solution. The Department of Ag estimates that 20 percent of the corn grown in the United States this year will be used for ethanol production, but growing corn demands fertilizer, produced by the chemical industry, that uses natural gas as their feedstock and energy source. Passing this legislation today will make sure that ethanol producers have access to the fertilizer they need to increase our supply of this important alternative fuel.

Contrary to what some will say on the floor today, this legislation will not harm the environment. The Minerals Management Service reports that, since 1980, 4.7 billion barrels of oil have been produced offshore with a spill rate of one-thousandth of 1 percent. According to the National Academy of Science, these spills account for only 2 percent of petroleum put into North American waters, while 62 percent comes from natural seepage.

The legislation takes into account the legitimate interests of coastal States, and we are going to hear a lot of debate on this point as well. Any State will be able to stop production from occurring within 100 miles of its shores should it choose to do so. This will keep drilling further offshore than other countries. By comparison, Ireland blocks drilling within 45 miles; the United Kingdom and Norway, 40 miles; the Netherlands, 20 miles; Scotland, 10 miles. Our neighbor to the north has permitted drilling in the coastal waters for years.

If State officials decide to allow production, they will share the royalties. This revenue-sharing provision is appropriate, given the devastation many States suffered from hurricanes last year. Allowing them to share in the royalties from outer Continental Shelf drilling will benefit this devastated region, while at the same time helping to lower energy costs to consumers across the Nation.

Mr. Speaker, our Nation's policy on drilling in the outer Continental Shelf is outdated, and many of those in the press have written editorials stating that. We saw last year the result of a policy that put all of our eggs in one basket, in the western portion of the Gulf of Mexico, when hurricanes knocked out one-quarter of the total domestic oil and natural gas production.

This will be an important debate today. We can support this legislation because it is important to protect the jobs, help families with heating bills, all the while protecting the environment and preserving States rights, or we can allow vast energy supplies to go untapped while we complain and seek and find no solutions about the cost and the supply of energy.

My colleagues should join me here in taking action by passing this rule and the underlying legislation.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume, and I thank my friend Mrs. CAPITO for the time.

I ask two questions of my colleagues here today. One, what is the emergency and can anybody that supports this measure tell me that it is going to bring down the price of gasoline at the pump? If we already own all of this, and we do, and if 80 percent of it is under lease and drilled as it is, then what is the emergency? Why can we not wait until such time as there is either a national or a military emergency?

Gas prices, you bet, but ask Jane Lunch Bucket, is this going to bring down the price of gasoline at the pump?

Sometimes, Mr. Speaker, it is better for others to speak for you; and in this case I choose to let the editorial boards representing the newspapers across my great State of Florida, which have universally, universally come out against this dangerous bill. These are papers which represent views of Floridians from the Panhandle to the Keys and in all parts in between. From Orlando to Opa Loka and from Pensacola and Panama City to Pahokee to Key West and Kissimmee, Floridians agree that this would be bad for the environment, bad for tourism, bad for business and a black eye for generations to come.

□ 1200

The Orlando Sentinel said this week about this bill: ''House Members from Florida who support this bill are portraying it as the best deal the State can hope for, given the growing pressure to drill for oil and gas at home. Never mind the fact that the United States has only a small percentage of the world's reserves of those fuels. Congress could do more to solve the Nation's energy crunch with stronger measures to conserve energy and promote the development and use of alternative fuels. It doesn't have to imperil Florida's environment and economy. Florida's two U.S. Senators, Democrat BILL NELSON and Republican MEL MARTINEZ, say they are reserving the right to filibuster the measure if it reaches the Senate. But it needn't come to that. Florida's House delegation and other Members in that Chamber who support an environmentally and economically sensible energy policy need to kill this bill.''

The St. Petersburg Times had this to say: ''The oil industry's,'' and I am paraphrasing, ''minions in the U.S. House are still scheming to open Florida's coast to offshore drilling. That is not surprising, considering their disdain for environmental protection. What is unforgivable,'' unforgivable, the St. Pete Times says, ''is that some Florida Representatives appear to be in league with them and are more atuned to the politics of Washington than the realities of Florida. Some other Florida Republican Members seem to think defeat is inevitable, so they might as well cut a deal that would undermine the protection of our beaches. Unfortunately, saying so could make it so. If Floridians value their beautiful beaches, clean coastal waters and tourism economy, then the time to give in to the hysteria to drill is never.''

The Palm Beach Post added this: ''Protecting Florida's coasts under the bill wouldn't be enough. Because oil spills could be carried on ocean currents, what happens in States that opt to allow drilling closer to shore could affect other States with stricter rules. A spill in the eastern gulf, for example, could travel to Panhandle beaches, to Florida's Keys, or to east coast beaches as far north as Cape Canaveral. The cover story is that disruption from Hurricane Katrina showed why the Nation needs new sources of energy. But why put new sources in the same storm path? The majority's bill, or the bill as authored, and some of them as sponsors, has one of the worst environmental records in Congress,'' according to this newspaper.

''Florida's tourism industry places the State in a unique position. Opposing this bill isn't good just for the environment. It's good for business.''

Mr. Speaker, I wish I had time to continue quoting from other Florida newspapers, but I think the point has been made and made and made again. While we are here now debating whether we should open up Florida and California, and maybe New York, Massachusetts, Georgia, and Maine, to oil drilling, we already have debated Alaska, and doubtless others are to come.

But it was our colleague, Mr. BOEHLERT, who has pointed out that through 18 months of this Congress we have brought up all sorts of ways to drill in this country but not one, not one bill that would look at alternatives

or do anything about conservation. Pretty telling, don't you think?

I asked one of my Republican colleagues last night what his opinion on this bill would be if it meant drilling in the heart of his district, one of the most environmentally unique ecosystems that we have in this country. I give him credit for consistency. We were on the elevator leaving the Rules Committee at midnight, and he flatout told me if there was some oil or gas to get there, so be it.

Wow. This is truly frightening. I hope the American people are listening. A Member of Congress, and there are others like him, potentially thinks that we should put oil derricks on every street corner, I gather, in the country if there is even a chance we might get a teaspoon of oil out of it.

Mr. Speaker, I know there are others who want to speak on this irresponsible bill, so I am not going to use more of my time. But trust me, as a fifth-generation Floridian, as a person deeply concerned about our environment in this world as well as in Florida, and a Member of Congress that represents more small businesses than all but two other Congresspersons in this body, according to the Small Business Administration, I oppose this rule for the bill we will soon consider, which I consider to be reckless.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I would like to remind the gentleman that States will have the opportunity in this bill to opt out if they do not wish to have the drilling occur along their coastlines.

Also, I would like to remind the gentleman that I represent West Virginia. We value our mountains, but we dig coal from our mountains every single day so that people around this country can turn on their lights and use their air-conditioning.

We are talking about a Nation here in need of energy resources. And I am not sure if he has ever seen a natural gas well, but it is not like an oil derrick in the middle of a town. It can be done in a very disruptive and very clean way.

Mr. Speaker, I yield time now to my friend from Florida (Mr. KELLER), 2 minutes.

Mr. KELLER. Mr. Speaker, I thank the gentlewoman from West Virginia for yielding.

Mr. Speaker, I rise in support of the rule and the legislation. I represent Orlando, Florida, the world's number one vacation destination. It would devastate our tourism-based economy if gas prices ever reached $4 a gallon. Similarly, it would also hurt tourism if there was an oil spill right next to our beautiful beaches.

This legislation strikes the appropriate balance of protecting Florida's beaches with a 100-mile buffer while also reducing our dependence on foreign oil. That is why it is supported by Governor Jeb Bush and The Washington Post editorial board.

The most significant aspect of this bill is that it gives Florida home court advantage on all future decisions regarding offshore drilling. For the first time in history, there will be a 100-mile buffer around the entire State of Florida, controlled by Floridians.

Here is the math: Floridians make up 100 percent of the State legislature, but only 5 percent of the U.S. Congress. Would you rather have Florida offshore drilling decisions made by a Florida State representative from Clearwater or by a drill-happy U.S. Congressman from Texas?

Mr. Speaker, it is easy to demagogue this issue by saying we should do nothing if the bill isn't perfect. Well, here is some straight talk. We don't have the luxury of doing nothing. If we don't act, drilling will be allowed only 3 miles off Florida's east coast beaches. On the other hand, if we do act, we will get 100 miles of protection for all of Florida's beaches and put future decisions about drilling in the hands of Floridians.

Mr. Speaker, opposition to this bill on environmental grounds is not justified. First, the industry's safety record for exploration is impressive. For example, oil rigs in the western half of the Gulf of Mexico endured Hurricane Katrina without any spills.

Second, according to the Washington Post editorial board, not allowing any drilling whatsoever past the 100 mile mark may increase the danger of oil spills because it means more incoming traffic from oil tankers, which are riskier than oil rigs. As you recall, the Exxon-Valdez accident was an oil tanker, not an oil rig.

Mr. Speaker, I urge my colleagues to vote ''yes'' on the rule and on the bill, and I commend Congressmen PUTNAM and RICHARD POMBO for getting this bill in the strike zone.

Mr. HASTINGS of Florida. Mr. Speaker, I serve on the Rules Committee with the distinguished gentlewoman, my good friend, Ms. MATSUI from California, Sacramento and that area, who understands environmental consequences. I am pleased and privileged to yield 3 minutes to the gentlewoman from California.

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

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

The Pacific Ocean is synonymous with California. California's beaches are world renowned tourist destinations. People from my hometown of Sacramento can attest to the beauty of nearby Stinson and Dillon Beaches, of Point Reyes and Capitola near Santa Cruz. But our coasts are more than playgrounds. We Californians consider them to be national treasures, and we certainly wouldn't sell them off to oil developers.

But that is a major element of what this bill before us proposes to do. This legislation tempts States to sell off their natural heritage by presenting a false choice between Federal dollars and their coastlines. Even worse, the closer to shore a cash-strapped State allows drilling, the more money it stands to receive. In other words, the more intrusive the drilling, the larger the payoff.

The fact is, Mr. Speaker, we simply don't need to expand our drilling capacity. Eighty percent of our Nation's offshore oil and gas reserves are already open for drilling. Energy companies hold over 6,000 unused leases in these waters. There is no reason to overturn a 25-year-old bipartisan drilling moratorium when we haven't even utilized our existing capacity yet.

Providing less expensive energy to our constituents and reducing our dependence on foreign oil should be one of Congress' top priorities, but we cannot drill our way to energy independence as some claim.

Sadly, we should have expected such an idea from a Congress that continues to rely on the same tired and misguided drilling-only approach. This strategy has been the defining element of our failed energy policy for the last 6 years.

America can do better, but today's proposal takes us in the wrong direction. Instead of drilling off our coasts, we should devote resources to encouraging renewable energy use and to perform innovative research on advanced technologies.

Mr. Speaker, on the Science Committee we worked together in a bipartisan way to create a balanced and forward-looking policy. For instance, earlier this week, the committee approved legislation to authorize alternative energy development programs.

Unfortunately, it seems that today's legislation has been narrowly written to benefit oil interests at the expense of States like mine. We should follow the example of the Science Committee, Mr. Speaker, and rely on emerging research and proven scientific fact. Both of these will demonstrate that we do not, we should not, drill off our coasts.

Increasing our energy independence should be the first great policy challenge our country addresses in the 21st century. We would be well advised to consider forward-looking energy proposals. Revisiting old arguments and despoiling national treasures wastes a golden opportunity to put our Nation on a course towards energy independence and responsible environmental stewardship.

I urge my colleagues to defeat this misguided and unnecessary legislation.

Mrs. CAPITO. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. Mr. Speaker, I rise today in support of the rule and of H.R. 4761, the Deep Ocean Energy Resources Act. I could stand up here and talk about some astounding facts, but the bottom line is we need to be more dependent on ourselves and not somebody else.

Our current energy supply simply does not meet our growing demand.

The solution is to reduce our dependency on foreign sources of energy. That is the solution. National security and national interests begin right here at home, and we need to be more self-reliant and energy independent.

My home State of South Carolina has many great resources off its coast, and I am pleased that this legislation grants power to the States that allows them to dictate energy initiatives.

Keeping this country both safe and strong is a pledge that I made and a pledge that I will keep. I urge my colleagues to vote for the rule and the underlying legislation that keeps our Nation safe and moves us toward energy independence.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield to my good friend from Maine, a gentleman who has some understanding of fisheries and coastlines, 2 minutes to Representative ALLEN.

Mr. ALLEN. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to the rule and to the underlying bill, H.R. 4761, the Deep Ocean Energy Resources Act. I urge all of my colleagues to oppose this environmentally reckless and fiscally irresponsible attempt to bribe State governments to allow drilling off our coasts.

There is more to the sea than just oil and gas. For more than three centuries, Maine fishermen have made their living from the ocean. The fishing community represents the heritage and social fabric of my State, and it has been that way for more than 300 years.

□ 1215

Oil derricks and gas platforms on Georges Bank would despoil this abundant fishing ground. The pollution associated with deep sea oil and gas exploration would devastate the already suffering ground fish industry. It would undoubtedly impact other species as well, and to what end?

The United States has 3 percent of the world's population and consumes 25 percent of the world's fossil fuel. We cannot drill our way out of that equation. There has got to be a better way.

Instead of bringing back tired old ideas, we should be pushing for new technologies, for incentives for renewable energy sources and for cleaner, more abundant fuels. Drilling off our coast is not the answer. I urge my colleagues to oppose this legislation.

Mrs. CAPITO. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Speaker, I rise in strong support of this rule and the underlying bill, H.R. 4761, the Deep Ocean Energy Resources Act. It is a commonsense bipartisan strategy that would reduce record high energy prices and America's dependence on foreign sources of energy.

For too long, special interests here in Washington have contributed to higher energy costs by blocking access to our domestic natural resources. We all know gasoline is expensive. Home heating costs have increased by 20 to 40 percent. The price of natural gas in the U.S. is $10 more expensive than in China and Japan and even a greater differential in places like Iran, Russia and Argentina.

This commodity is a key component to the U.S. agricultural sector, the feedstock for fertilizer. Natural gas is estimated to consume 30 percent of a farmer's production costs. Moreover, natural gas is absolutely critical in manufacturing renewable fuels, accounting for 17 percent of ethanol production costs.

Sixty percent of the energy consumed in the U.S. is imported from other countries. As a result, our economic and national security is at risk. In fact, many natural-gas-dependent production facilities are shutting down and moving their operations overseas in order to escape this rising cost squeeze.

In order to provide relief for our constituents and ensure farmers have the ability to produce the crops and process the food that feeds the world, we must utilize the energy available closest to home.

Removing an outdated prohibition on energy production 100 miles from America's coastline, while preserving the rights of States to determine production areas within that boundary, is a practical approach that will have an immediate impact. Please vote in favor of this bill. It is a strong signal of support to our U.S. consumers, farmers and agri-businesses.

I urge my colleagues to support the rule and support final passage of the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my good friend from California (Mrs. CAPPS) who knows a little bit about the coastline, being from Santa Barbara.

Mrs. CAPPS. Mr. Speaker, I rise in strong opposition to this rule.

Over the years I have served in this body, I have heard Members from both sides of the aisle talk about the benefits of democracy. Last night, for example, Mr. DIAZ-BALART spoke quite movingly about the importance of democracy during consideration of an amendment to end bilingual voting. He spoke of, and I quote, that sacred right, that is, voting.

Today, with this rule, we see that this sacred right doesn't really extend to Members of the House of Representatives. The rule before us brings up a bill being furiously rewritten in the dead of night. It is unclear what some of these amendments or what their provisions really mean, and the House is certainly not being given a fair opportunity to consider competing views, other than that put forward by the Republican leadership.

H.R. 4671 affects some very important issues, our energy future, the preservation of our ocean resources, the impact on our budget. Yet this rule stifles debate and limits our understanding of how the bill affects these important issues and more.

The underlying bill is unnecessary, environmentally damaging, fiscally irresponsible. In addition to being irresponsible, it is also deceptive. Although the legislation has been in the works for months, as of 10:30 this morning, we still don't have a CBO score.

If you read the paragraph in the bill that describes it, you can't figure out, but you do know that it is fuzzy math, that it hides the true costs. The only thing that is clear is it postpones the bill's cost until later. It is a raid, this bill, on the Treasury, jeopardizing coastal environments and economies.

Mr. Speaker, time and time again this leadership brings bills to the floor with rules that skew our choices. It is undemocratic, it is cowardly, it is wrecking America. Afraid of losing and certain that their weak arguments can't carry the day, the Republican leadership abuses its power and degrades this institution and democracy. Members who continually vote for such stifled debate aid and abet this corruption.

We can do better. Vote down this rule. Restore democracy to the House.

Mrs. CAPITO. Mr. Speaker, it is my honor to yield 2 minutes to the champion of this bill and a champion for rural America, the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Speaker, I rise to support the bill and the rule.

The gentleman from Florida a few moments ago asked a fair question. He said, what is the emergency? I believe it is an emergency. We talk about gasoline prices. We don't often talk about natural gas prices.

Natural gas prices historically were $2 per thousand in this country up until 5 years ago. Last year, that average price was $9.50. You have already heard it is threatening the absolute viability of aluminum, steel, petrochemical, polymers, plastics, fertilizer, bricks, glass, who use huge amounts of natural gas not only in making them but as an ingredient.

This country cannot compete in the global marketplace without affordable natural gas. We can't drill our way out of the oil crisis, and we shouldn't try. Natural gas is a commodity this country is rich in. Our Outer Continental Shelf is loaded. It could supply us for decades and could make our seniors able to heat their homes, our companies able to be profitable and compete.

Yes, natural gas is the resource we need to focus on. It should be our bridge to the future. It will keep us competitive until the renewables become a much bigger part of our energy portfolio.

I ask the colleagues that oppose this bill, show me a natural gas well that has ever polluted a beach. Natural gas is America's cleanest, almost-perfect fuel, no $NO_x$, almost no $SO_x$, a fourth of the $Co_2$.

Folks, natural gas is the milk of America's future, the milk of our industry, the baby, mother's milk. We need to produce energy. We need to have affordable energy for people to heat their homes, and we need to have energy so our industries can stay alive and not be sending us goods from foreign countries.

Mr. HASTINGS of Florida. As I recall, my friend from Pleasantville and Happy Valley wanted drilling 3 miles out, he perceives it as such an emergency.

I find it strange that people that live so far away from the potential problem have all of the correct answers. If we were drilling in Happy Valley outside of Penn State, you would be down here concerned, as I am, and Ms. LEE, who comes from San Francisco Bay in Oakland, California, who understands something about drilling.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Let me thank the gentleman for yielding and for your clarity about what it really means to be energy independent. Talk about beating a dead horse. Instead of getting tough with the administration's oil and gas cronies, Republicans once again want to reward them with even more public giveaways.

First it was ANWR, now the Outer Continental Shelf. Republicans would put an oil well on the White House lawn if they could get away with it. Instead of trotting out the same tired arguments about how the government is oppressing the oil and the gas industry by restricting their right to drill, we need a real energy plan that is good for the public, good for business and good for the environment.

Democrats know we can't drill our way to energy independence. We know that providing energy efficiency incentives will help United States businesses compete long term in the global marketplace. We know that raising CAFE standards will save more energy over the next 20 years than new drilling will produce, and we know that making a profit is not really a license to gouge customers. We have a real plan. Unfortunately, Republicans only promise more of the same.

I oppose the rule; I oppose the bill.

Mrs. CAPITO. Mr. Speaker, it is my honor to yield 3 minutes to the chairman of the Science Committee, the gentleman from New York (Mr. BOEHLERT).

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

Mr. BOEHLERT. Mr. Speaker, the way the House is handling offshore oil drilling today pretty much defines ''travesty.'' For the first time in more than a generation, we are going to vote on opening the entire coastline of the United States to oil and natural gas drilling. You think that would be considered a rather major matter that requires some thoughtful discussion. But that is not how we are handling it. Instead, we are going to debate legislation that is being rushed through the House.

The base bill we are discussing, and the report on it, which includes the cost estimate, were not filed until Monday. Once folks got a look at the text and the cost estimate, opposition pressure mounted, so the bill needed to be rewritten. That rewriting continued well into the night last evening.

So the rule makes in order a manager's amendment that includes massive changes in the bill that no one was able to see until after midnight.

Is this a process we can be proud of? It seems all one has to do around here is use the word ''oil'' for the sanctity of the democratic process to simply slip away. The process we are using today gives new meaning to the phrase ''oil slick.''

Now, some may say, oh, come on, people know whether they are for or against offshore drilling. We don't need a lot of time.

Well, this bill doesn't just allow offshore drilling. It changes all the rules on approving oil drilling in areas where it is allowed. It changes all the maps for State marine boundaries. Did you know that? Probably not, because the new maps aren't publicly available. It changes all the ways that royalty funds are distributed. It gives additional royalty breaks to oil companies. It is a complex bill with many unprecedented provisions that most Members know nothing about.

When we point out these troubling provisions, the sponsors of the bill don't defend them. They try to deny that they are there. The remedy is to read the bill, but we are not giving anyone time to do that.

Did you know, for example, that under the bill if the Secretary of the Interior opposes some future law because it limits drilling in any way, the Secretary can cut off all aid to States to try to get them to see the law his way?

That is an unusual idea, to say the least.

Did you know that the bill subordinates every other use of coastal waters to oil drilling, blocking any effort to use waters in a way that could ever limit drilling in any way? That is what the bill says. It blocks any actions ever that could interfere with drilling.

If the bill ever becomes law, your constituents will be up in arms about just about every provision, because the law gives oil interests the ability to trample everyone else's right.

This is a bad bill that we are considering today.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 3 minutes to my friend from Louisiana (Mr. MELANCON).

Mr. MELANCON. Mr. Speaker, this is a very memorable day, as far as I am concerned, with the hopes not only for the passage of this legislation but for the people of Louisiana and for the people of this country.

I know there are questions about the environment. Those have been around for 25 or 30 years.

If you look at the record of the offshore oil industry, it has been very good. As a matter of fact, it has been excellent in the last 25 years. There have been more oil spills from ships and tank farms on land than there has been oil in the coastal waters of Louisiana and the Gulf of Mexico.

I want to thank Chairman POMBO and Ranking Member RAHALL for their working together. Even though there may be some differences between the parties and between the ranking member and the chairman, they have worked together to bring a bill that will do good for America.

If you are happy with $3 plus a gallon of gas, if you are happy because your friends are being laid off from the petrochemical industry as those plants move to Saudi Arabia and other places where they get cheap natural gas, if you are happy to hear that our senior citizens up north, particularly, are living at 55 degrees on their thermostats, I don't think that is the way it should have been.

□ 1230

For 25 years, observing this Congress, being a citizen of Louisiana, that has been producing gas and oil for over 50 years, it is great to see that we have finally brought something to the floor for this Congress to act on, because up until today, the policy of this Congress has been to just say no; and we can no longer do that. The independence of this country, the security of this country is premised on the fact that we can defend ourselves, that we can feed our folks, and that we can supply the fuel and the energy that is needed to drive this Nation.

This may not be a panacea that will come tomorrow. But it will be a process or a point that will bring us into the future with hope that we can be energy independent and be a safe and secure Nation and defend ourselves without having to worry about getting our oil in tankers from countries that don't necessarily like us. It will mean a safe, secure America.

Mrs. CAPITO. Mr. Speaker, it is my honor to recognize and yield 3 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise in support of the rule. During consideration of the bill, I will be offering an amendment with several of my Florida colleagues; and I want to thank the Rules Committee for making the important amendment in order.

While some use political rhetoric to say ''do nothing,'' some of us for months have worked diligently to craft solid statutory protections for Florida and other coastal States.

Opposition to drilling on the Outer Continental Shelf is particularly strong in Florida, due to the potentially devastating consequences it could have for our economy, natural resources, and quality of life.

I want to thank Resources Committee Chairman RICHARD POMBO and his staff for their willingness to work with me, Governor Jeb Bush, Congressman PUTNAM and other members of the Florida delegation on the very sensitive issue of offshore drilling.

While I applaud the efforts of the Resources Committee to allow States to determine whether or not drilling occurs closest to their coastlines, I believe that if we truly, truly want to maximize the ability of States to protect their own coastlines, they should have to opt in to drilling, as opposed to being required to opt out of drilling.

Therefore, the amendment my colleagues and I will be offering today provides States with a true opt in, meaning that drilling could only occur if a State requests leasing.

Our amendment also expands the true opt in protection from 100 miles to 125 miles. While some States may choose to allow drilling close to their shores, those States can still do so under this amendment. They are not precluded from doing so. We believe that States that want to protect their shores from drilling should be able to do so to the maximum degree possible.

I urge my colleagues to support the Bilirakis/Wasserman Schultz/Young/Brown-Waite/ Harris/Wexler/Mario Diaz-Balart/Stearns amendment to H.R. 4761 and give States real control, real, solid, true, statutory control over whether or not drilling occurs off their coastlines.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 3½ minutes to my good friend from Massachusetts (Mr. MARKEY). He is a former ranking member of the Resources Committee, and has, in my judgment, extraordinary clarity regarding the issue of the day here in Congress.

Mr. MARKEY. Mr. Speaker, I hear the Republicans saying, it is time for us to drill in the Outer Continental Shelf; it is time for us to look for the oil and the gas.

Well, it turns out that under existing law, you can already drill on 80 percent of the land on the Outer Continental Shelf, where the Minerals Management Service has found oil and gas. The leases have already been given away, or they are available for bidding.

So what's the issue really all about if 80 percent of the Outer Continental Shelf where the oil and gas is is already available? And that is what they are not telling you.

This is an issue about Alabama, Mississippi, Louisiana and Texas changing the formula. The Minerals Management Service tells us that under this formula change, $600 billion, which was going to go to the Federal Treasury for Medicaid, for education, to help people who need it in their own homes, is now going to go to four States. So if you come from these four States, you vote for this bill, you get $600 billion. But if you come from the other 46 States, you are losing money on this deal, ladies and gentlemen. The money is coming out of your pocket, and it is going to Louisiana, Texas, Alabama, and Mississippi.

By the way, I recommend to each of the Members from those delegations, vote ''yes.'' You are going to hear them down here, vote ''yes'' because this doesn't change any of the rules for those States. The Federal Government already allows for drilling in that part of the country. And that is where 80 percent of the oil and gas is, by the way, and where 80 percent of the revenues are going to come from.

But if you come from these other States, you go home and you explain to your constituents the loss of $600 billion in Federal money that you are sending to four States on Federal lands. This is not State land. This is not Louisiana's land or Texas' land. This is our land. This is the Federal Government's land. And you are going to give up $600 billion here today, your last vote before we break?

This is just going to bust the Treasury again. This is just going to create bigger deficits.

But why would you do it to help four States? Why would you allow your taxpayers to have their revenues sent to four States, when all of this area can already be drilled and it is Federal land? There is no restriction. There are 8,000 leases that the oil companies already have. They are only drilling on 2,000 of them. But at $70 a barrel, they are going to go to this area, and they don't need any more permission.

So here is the trick: yes, they cannot drill off of these coastlines right now. We are going to debate that. And many Members from these States don't want drilling off these coastlines.

But that is not what the bill is about, ladies and gentlemen. This is about a raid on the Federal Treasury by four States in the area where we already permit drilling on Federal lands by oil companies. But these four States are in here dipping their straws into the Federal revenues which would go to 46 States, and they want it all to go to theirs.

Vote ''no'' on this terrible bill.

Mrs. CAPITO. Mr. Speaker, I would like to remind the previous speaker that the bill passed out of committee with large bipartisan support of a 29–9 vote.

I would like to yield 2 minutes to my friend and colleague from Kansas (Mr. MORAN), a leader in rural health care.

Mr. MORAN of Kansas. Mr. Speaker, I rise in support of increased exploration, drilling and production of natural gas off our intercontinental shelf. This is an important issue for all of the country, but especially true among my farmers and ranchers in Kansas.

I am one who supports renewable fuels, and ethanol and soy diesel provide a great opportunity for economic opportunity in Kansas, for Kansas farmers and for American agriculture and for our country. We must become much more independent from the energy sources abroad.

But for our farmers and ranchers to remain in business, to survive into the future, they have got to have access to natural gas and at prices that are affordable. Natural gas is the primary feed stock, the ingredient for the production of many agricultural components, but especially for nitrogen fertilizer that is so important; and if we are going to produce ethanol in this country, if we are going to produce soy diesel, we are going to have to have the fertilizer at an affordable price that will allow our farmers to raise the corn and grain sorghum to produce the ethanol to raise the soy beans to produce the soy diesel.

Our farmers are struggling across the country. Input costs are dramatically on the rise. Nearly 40 percent of the nitrogen capacity, fertilizer capacity has been shut down in this country since 1999. Six years ago, approximately 15 percent of our fertilizer needs were met in the United States from abroad. Today 50 percent is imported.

Prices have increased dramatically: $250 a ton for nitrogen fertilizer in 2002; today, $416.

One of my farmers who farms in southwest Kansas, 30 years ago when he started farming, natural gas was 19 cents. Today it is $9. We are seeing double, triple and even fourfold prices that DONNY YOUNG talks about in trying to stay in business with these increasing input costs, while the price of corn has stayed the same.

We in the United States need to become independent if we are going to produce the ethanol. And it is important that we remember that natural gas is necessary to make that nitrogen fertilizer.

I encourage the adoption of this proposal.

A vote for H.R. 4761 is a vote for agriculture.

Agriculture's ability to produce an affordable food supply will continue to face huge obstacles if our nation does not come to grips with its desire to have limitless resources, like natural gas, for production and not realize that these resources have to come from somewhere. Our natural gas crisis has two solutions—increase supply and reduce demand. H.R. 4761 addresses one aspect of this crisis as it will increase the supply of natural gas from the Outer Continental Shelf. This additional supply will do two things. It will send a strong signal to natural gas markets and could increase the elasticity in North American natural gas markets. It indicates to these futures markets that the United States is committed to lifting the moratoria in the Outer Continental Shelf to provide consumers with an additional supply of natural gas. This message should ease the volatility in natural gas prices that all of us have seen since 1999 and the additional supply should help ease the natural gas prices over time.

Why does agriculture care so much about this natural gas crisis? Simply put, agriculture is a very large consumer of natural gas. Farmers use significant amounts of natural gas for food processing, irrigation, crop drying, heating farm buildings and homes and for the production of crop protection chemicals and nitrogen fertilizers.

Natural gas is the primary feedstock in the production of virtually all commercial nitrogen fertilizers manufactured in the Untied States. Natural gas is not just an energy source it is the raw material for producing the fertilizer. Today, in the case of the nitrogen fertilizer anhydrous ammonia, natural gas accounts for over 90 percent of the total cash cost of production.

Just like Kansas wheat and Wisconsin milk, fertilizer is a commodity bought and sold worldwide and subject to basic global supply and demand economic principles. As the U.S. domestic nitrogen fertilizer manufacturing sector declines due to high natural gas prices, Kansas farmers and other U.S. food producers will be subject to global supply/demand forces on the fertilizer products they buy, even more so than today.

The climb in natural gas prices since 2000 has forced U.S. fertilizer production costs to unprecedented levels. Over this period of high prices and intense volatility, the U.S. fertilizer industry began to shut down production. Nearly 40 percent of the industry's nitrogen capacity permanently shut down between 1999 and today. This has and will, continue to make U.S. farmers dependent on offshore production from the major suppliers such as Saudi Arabia, Venezuela and Russia.

This rise in natural gas prices and the permanent closure of so much U.S. fertilizer production has dramatically impacted fertilizer prices throughout the marketing chain and, in particular, at the farm level. According to USDA, U.S. prices to farmers for ammonia climbed from $250 per ton in 2002 to $416 per ton in 2005. That is almost a doubling of the price of ammonia to farmers.

This continued loss of production from the U.S. nitrogen fertilizer industry would force farmers to rely on a highly uncertain and highly volatile world market with no assurance that they will be able to obtain enough product to meet their full demand. This is particularly important when considering the importance of nitrogen to farmers. Thirty to 50 percent of corn yields are directly attributed to nitrogen fertilizer.

Passing H.R. 4761 represents a direct, positive action to increase our nation's domestic natural gas supply to help relieve the high prices pressuring American farmers, fertilizer producers and homeowners. Allowing exploration and development of the Outer Continental Shelf is an essential commitment that our nation must make. These natural resources belong to all Americans and should be developed for the benefit of the entire nation.

A vote for H.R. 4761 is a vote for agriculture. Please support passage of H.R. 4761.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman, my classmate, Ms. WOOLSEY.

Ms. WOOLSEY. Mr. Speaker, the majority party says that we need to find a better way to end our energy crisis and a way to bring gas prices down. Well, that sounds really good because that is exactly what we need to do. But the solution they are offering today is not a solution. There is a better way, and that is for certain.

In fact, by providing tax incentives for the construction of energy-efficient buildings and heating equipment, by doing that alone, we could save more than 12 times the Interior Department's estimate of economically recoverable gas outside the central and western Gulf of Mexico.

This plan they are offering for more offshore drilling for four States makes every other use of coastal waters subordinate to drilling for oil.

Mr. Speaker, we shouldn't even be discussing it. Do they really think that the people of this country don't get it? Well, let me tell you, the people in my district, Marin and Sonoma Counties north of San Francisco, get it. They know that what makes this bill even worse than being a Band-Aid is that it is a destructive solution.

Mrs. CAPITO. Mr. Speaker, it is my honor to yield 2 minutes to the gentleman from Florida (Mr. CRENSHAW).

Mr. CRENSHAW. Mr. Speaker, I rise in strong support of this rule and the underlying bill. For me, the question of drilling off our coastal waters is a difficult one, and it is made even more difficult by the fact that I represent the State of Florida, where we have 1,300 miles of shoreline, and we have a tourism industry that adds up to about $60 billion, and a lot of that is due to our magnificent beaches.

But I am faced with a question today, whether I vote in favor of letting the people of Florida control their own destiny as it relates to offshore drilling within 100 miles of the shore. I can do that, or I can just vote ''no'' and do nothing.

It seems to me, as I look at this bill, I would urge my colleagues to support it because it gives to our precious beaches in Florida unprecedented permanent protection, something we have never had before, something we may never have again within that first 100 miles.

Would I like to see more protection? Sure I would. Most people in Florida would. But wishing it so is not going to make it so. And I am going to support this bill.

Other people will say no, I will just vote ''no.'' And people that do that, I think, are going to find themselves hoping against hope, rolling the dice that somehow, some way drilling won't occur off the coast of Florida or any other coastal waters in America. And I think that is pretty shortsighted.

I don't want to sit back and wait, sit back and watch. I don't want to find myself watching the sun rise and the sun set through the silhouette of an oil rig. That is too big a chance to take.

So I urge my colleagues to vote in favor of this rule, in favor of the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1 minute to my good friend from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, as we approach the Fourth of July holiday, Americans are still paying record prices at the pump to fuel their cars for summer road trips and vacations. And this Republican Congress is still dragging its feet and refusing to pass legislation that would actually do something to prevent these high prices, to prevent oil and gas companies from price gouging.

For the past year, Democrats have sought to pass legislation that would give the Federal Trade Commission authority to hold oil and gas companies that gouge consumers accountable. The Senate hasn't even taken up the Republicans' own weaker price-gouging bill which passed the House in May. That means more toothless investigations, more corporate bandits getting off scot free.

The FTC issued a report in May that exposed the need to pass legislation that clearly defines price-gouging offenses. Even in instances where the FTC has found that consumers have been abused at the pump, the FTC was powerless to prosecute the companies that engage in price gouging.

□ 1245

The five largest oil and gas companies reported $110 billion in profits in 2005, and ExxonMobil reported the highest profit of any American company ever.

There is a price-gouging problem. It is happening at the producer and refiner levels, not at the retail level. We should pass the Democrats' FREE Act and give consumers relief at the pump once and for all and do it now.

Mrs. CAPITO. Mr. Speaker, I yield 2½ minutes to the gentleman from Hawaii (Mr. ABERCROMBIE), the sponsor of this legislation.

Mr. ABERCROMBIE. Mr. Speaker, I will submit into the RECORD documents in favor of the bill from several labor unions, a Washington Post editorial, and a letter with some figures regarding revenue from the Congressional Budget Office.

JUNE 29, 2006.

H.R. 4761: OUTER CONTINENTAL SHELF DRILLING

Our three building trades unions urge your support for H.R. 4761 when the House considers it later today. The bill will essentially lift the current moratorium against off-shore drilling by establishing a new set of drilling criteria which will go a long way in addressing America's energy needs—particularly in respect to natural gas supply. U.S. manufacturing needs the potential energy which a fully implemented H.R. 4761 can supply to stay competitive in the global economy. As a result, existing U.S. jobs are protected and new jobs can be created to help strengthen our economy.

From a building trades perspective, there is another critically important reason to support this bill. For years, the Outer Continental Shelf Lands Act has been interpreted to allow foreign companies to utilize foreign workers to build and service these oil and gas rigs and platforms without having to consider American workers for these jobs. Led by Resources Committee Chairman Pombo and Representative Abercrombie, there is a provision in the Manager's amendment which modifies the existing OCSLA language to require that American workers be given initial consideration on these large projects before foreign workers are hired. We in the trades have many of the skilled workers who are potentially ready, willing and

able to perform these construction and service jobs to extract American resources for American industry.

It is important to modify our current law to develop additional U.S. energy supplies. It is equally important to allow American workers a realistic opportunity to perform this construction and service work. H.R. 4761 accomplishes both of these objectives.

DONALD KANIEWSKI,
*Legislative Director, Laborers International Union.*
TIM JAMES,
*Legislative Director, International Union of Operating Engineers.*
CHRIS HEINZ,
*Legislative Director, United Brotherhood of Carpenters.*

JUNE 29, 2006.

DEAR REPRESENTATIVE: On behalf of the United Association of Journeymen and Apprentices in the Plumbing and Pipe Fitting Industry, I urge you to support the Deep Ocean Energy Resources Act, H.R. 4761. The failure of the U.S. government to allow responsible energy exploration on the Outer Continental Shelf has created devastating economic conditions that are just now coming to fruition. This is an affront to every American worker, especially those in the pipe trades, who will continue to watch more jobs and industries move overseas because we refuse to develop our own resources.

Reducing our dependence on foreign energy by creating thousands of new jobs in the U.S. is a bipartisan issue. The Building Trades and affiliates, like the UA, have been working with both sides to ensure that these job opportunities go to American workers first, and that the revenue generated by energy development goes back into training the next generation of skilled pipe tradesmen and other energy-related workers.

The skills and technology have come a long way in the past 30 years due to heightened environmental awareness. Do not believe those who say we cannot develop our energy safely. Since 1980 the spill rate for offshore drilling is .001%, and accounts for less than 2% of the petroleum in the ocean, whereas natural seepages account for 63%.

We should not abandon alternative energy sources or conservation, but we will be dependent on oil and natural gas for another century. We already produce roughly as much ethanol per capita as Brazil; they have secured their energy independence through off-shore drilling, and yet their beaches are still dream destinations for most of the world.

The U.S. now faces the highest natural gas prices in the world, and sends millions of dollars a day to unstable regions of the world to bring in the oil and natural gas that sit just on the edge of our own horizon. If we continue to lose paper mills and chemical and fertilizer plants due to high natural gas prices, good paying union jobs will disappear. Instead we can take a productive step to secure our economic future by creating good paying jobs for American workers on our Outer Continental Shelf.

For the 350,000 members of the UA, who work on offshore rigs, pipelines, power stations, refineries, and in numerous facilities that are downstream consumers of oil and natural gas, this bill will create jobs, and keep money in the U.S. economy. By doing nothing, we are choosing to jeopardize our whole economy and put millions of American jobs at risk.

Sincerely yours,

WILLIAM P. HITE,
*General President.*

JUNE 28, 2006.

DEAR COLLEAGUE: today you will be asked to vote on H.R. 4761, the bipartisan Domestic Ocean Energy Resources (DOER) Act. We urge you to review The Washington Post editorial below that discusses why it's important to pass the DOER Act and update America's offshore energy production policy.

While The Washington Post gave an enthusiastic endorsement of this bill, it did mention some concerns over the cost estimate. The manager's amendment that will be offered today has made adjustments which reduce the cost for the federal government by $11.6 billion over ten years and now raises $600 million over the same period of time.

Sincerely,

NEIL ABERCROMBIE,
*Member of Congress.*
BOBBY JINDAL,
*Member of Congress.*
CHARLIE MELANCON,
*Member of Congress.*
JOHN PETERSON,
*Member of Congress.*

[From the Washington Post, June 28, 2006]

AN OUTDATED BAN

For the past quarter of a century, the federal government has banned oil and gas drilling in most U.S. coastal waters. Efforts to relax the ban have been repelled on environmental grounds, but it is time to revisit this policy. Canada and Norway, two countries that care about the environment, have allowed offshore drilling for years and do not regret it. Offshore oil rigs in the western Gulf of Mexico, one of the exceptions to the ban imposed by Congress, endured Hurricane Katrina without spills. The industry's safety record is impressive, and it's even possible that the drilling ban increases the danger of oil spills in coastal waters: Less local drilling means more incoming traffic from oil tankers, which by some reckonings are riskier. Although balancing energy needs with the environment is always hard, the prohibition on offshore extraction cannot be justified.

The House of Representatives is about to vote on this question, probably tomorrow. A bipartisan bill would maintain a ban on drilling within 50 miles of the shoreline and allow states to extend that to 100 miles. But it would lift the congressional restriction on drilling beyond that perimeter. This compromise would give states that are unwilling to countenance the perceived environmental risks a reasonable measure of control over their coasts. But it would also open the way to more drilling.

The economic benefit of that drilling would be especially pronounced if it were aimed at natural gas extraction. Despite all the rhetoric about energy independence, it doesn't make much difference whether the United States gets its oil from its own coastal waters or whether it buys it on world markets. There is one global price for oil; producing more from U.S. waters will bring down that global price, benefiting all consuming countries rather than just U.S. consumers. But natural gas is traded globally only in small quantities, in liquefied form; nearly all of the gas consumed in the United States is produced domestically or in Canada. So producing more natural gas in U.S. coastal waters would bring down U.S. natural gas prices rather than world prices. Because natural gas is much cleaner than its main alternative, coal, this would have environmental as well as economic benefits.

Unfortunately, the House legislation is flawed. It diverts billions of dollars' worth of oil and gas royalties from the Federal government to the states, even though the waters from which the resources will come are federal. The states nearest to the oil rigs may feel they carry most of the perceived environmental risks, and some sharing of revenue may be justified to bring them along, but the House bill leans too far in that direction. We hope the bill passes tomorrow, but we also hope this flaw is fixed before it becomes law.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
*Washington, DC, June 29, 2006.*

Hon. RICHARD W. POMBO,
*Chairman, Committee on Resources, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4761, the Deep Ocean Energy Resources Act of 2006, as modified by Pombo amendment #224, dated June 28, 2006.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Kathleen Gramp.

Sincerely,

DONALD B. MARRON,
*Acting Director.*

Enclosure.

ESTIMATED DIRECT SPENDING EFFECTS OF H.R. 4761, THE DEEP OCEAN ENERGY RESOURCES ACT OF 2006, AS MODIFIED BY POMBO AMENDMENT #224, DATED JUNE 28, 2006

| | Outlays in billions of dollars, by fiscal year | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2007–2011 | 2007–2016 |
| CHANGES IN DIRECT SPENDING [1] | | | | | | | | | | | | |
| Changes in the Terms of Oil and Gas Leases: | | | | | | | | | | | | |
| Fee on deepwater OCS leases | 0 | −0.8 | −0.8 | −0.9 | −1.2 | −1.1 | −1.2 | −1.7 | −1.9 | −1.7 | −3.8 | −11.4 |
| Fee on nonproducing leases | 0 | −0.2 | −0.2 | −0.2 | −0.2 | −0.2 | −0.2 | −0.2 | −0.2 | −0.2 | −0.8 | −1.6 |
| Compensation for certain nonproducing leases | * | * | * | * | * | * | * | * | * | * | * | * |
| Other changes to lease terms | * | * | * | * | * | * | * | * | * | * | * | 0.1 |
| Expand Federal Areas Subject to Mineral Leasing | −0.2 | * | −0.2 | −0.5 | −0.3 | −0.3 | −0.5 | −0.6 | −0.7 | −0.8 | −1.2 | −4.0 |
| Changes in Authority to Spend Federal Mineral Receipts: | | | | | | | | | | | | |
| Repeal of certain OCS receipt-sharing programs | −0.3 | −0.3 | −0.3 | −0.3 | −0.1 | −0.1 | −0.1 | −0.1 | −0.1 | −0.1 | −1.4 | −2.0 |
| New OCS receipt-sharing with states | 0.5 | 0.7 | 1.1 | 1.0 | 1.5 | 1.7 | 2.0 | 2.7 | 3.2 | 3.6 | 4.8 | 18.0 |
| Other federal programs | * | * | * | * | * | * | * | * | * | * | * | * |
| Total Changes | −0.1 | −0.6 | −0.4 | −0.9 | −0.4 | 0.1 | 0.1 | 0.1 | 0.4 | 0.7 | −2.3 | −0.9 |
| Memorandum: OCS Receipts Under Current Law [2] | −8.3 | −10.5 | −9.8 | −10.0 | −10.1 | −9.4 | −11.0 | −10.9 | −10.9 | −11.2 | −48.7 | −102.1 |

[1] Implementing H.R. 4761 would also allect discretionary spending. Several provisions of the bill would authorize funding to be provided in future appropriation acts.
[2] The current law estimates are from CBO's March 2006 baseline. The receipt estimates are net of payments to states to share proceeds lrom leases located within specified distances of their coastlines.

Notes:—Details may not sum to totals because of rounding. OCS = Outer Continental Shelf. Budget authority is equal to outlays for most programs that involve collection and spending of OCS receipts. * = Between −$50 million and $50 million.

The U.S. is the only developed nation in the world that restricts access to its offshore energy resources, putting it at an economic and strategic disadvantage with foreign nations.

The DOER Act strikes a common sense balance between America's dire need to produce more energy at home and the interests of American coastal states. It accomplishes this by granting coastal states permanent and unprecedented power to keep off-shore energy production 100 miles away from their coastlines (if they so desire) while enabling the U.S. to produce energy for the people in the deep waters beyond.

For comparison, the following is a short list of foreign nations that produce energy safely from their deep seas and the distance from the coast that drilling occurs: Ireland, 45 miles; Norway, 40 miles; United Kingdom, 40 miles; Netherlands, 20 miles.

Mr. ABERCROMBIE. Mr. Speaker, this is an auspicious day, and I am pleased to be able to speak on the rule.

I regret in some respects that many of my friends, my dear friends, have a view different than I as to whether or not a positive vote is warranted on the bill. But with regard to the rule, I believe that when the manager's amendment comes forward during debate on the bill that some of the questions that have been raised, legitimate questions that have been raised, will be answered, I hope, to the satisfaction of those who have some doubts about the bill.

My reason for standing here today is because I do want to reach out in all sincerity to those who are expressing reservations about the bill to indicate that those of us who have been working on the bill in the Resources Committee understand and appreciate and recognize those fears and anxieties that those in opposition have expressed today, and we have tried to the best of our legislative ability to address them. We respect those who have some reservations at this stage and ask merely that we wait for the debate. The debate, as it comes forward, we think will answer those questions. We are going to try to do it sincerely.

For example, on the question of revenues, we have been listening to those who are concerned about revenues to Treasury, and we have addressed it. We believe that the Congressional Budget Office, in its analysis of the bill, has addressed that forthrightly.

As for the question about environment, we believe that that has been addressed as well. We ask really for the opportunity to make a full presentation on that, and then we will, of course, respect everybody's judgment.

But I can tell you, Mr. Speaker, and tell all of my colleagues and friends who still retain their reservations, we are doing our very best to address the issues that you have raised; and we hope we have done it adequately. In that context, then, I hope some open minds will be kept at this stage; and, most particularly, we ask our friends from California and Florida to recognize that we are doing our level best to address their concerns in a positive way.

Mr. HASTINGS of Florida. Mr. Speaker, my good friend from Hawaii, and he is my good friend, knows that I love his volcanic State that has no Outer Continental Shelf. If we were drilling in Oahu or on the road to Hana, I would hear a different perspective. But I understand that dynamic.

Mr. Speaker, I yield 30 seconds to the distinguished gentleman from Colorado (Mr. SALAZAR).

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

Mr. SALAZAR. Mr. Speaker, I have generally supported offshore oil and gas development in the past, but I cannot support this bill in its current form.

This bill goes beyond offshore exploration and reaches back into the energy bill to change a carefully written compromise on oil shale development. The district I represent is the largest reserve of oil shale in the Nation, and I have serious concerns that the provisions in this bill will speed along and encourage irresponsible development. Western Colorado has already experienced one boom and bust due to oil shale speculation. It ruined the lives of many families in the West, and I cannot support a policy which will lead to another.

I urge my colleagues to vote against this bill or to eliminate the oil shale provision.

Mrs. CAPITO. Mr. Speaker, it is my honor to yield 2 minutes to my good friend, Mr. TIAHRT.

Mr. TIAHRT. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, this legislation is critical to the future of our country and our economy.

Over the last generation, Congress has raised barriers to keeping and creating jobs, American jobs. Our inability to produce natural gas is one of the barriers, and it is driving jobs overseas. Now, why would Congress force jobs overseas? Well, you are seeing that reason today.

Some say this is bad legislation; it is ill conceived. My view of that congressional interpretation of that language is ''so long American jobs.''

Some say it is not in your backyard; you do not produce it. Well, in Kansas, it is in my backyard. We have been producing oil and gas for over 100 years. So my interpretation of that phrase is it means ''good-bye American jobs.''

Some say this will damage the coastline. Well, natural gas production has continued through today. It occurred even through Hurricane Katrina, and not one environmental spill or any coastline was damaged. So the congressional speak for ''it will damage our coastline'' means ''adios American jobs.''

This is good legislation. It has gone through a compromise process. It passed out of the subcommittee with a good, strong, bipartisan vote.

Let us remove a barrier to keeping and creating jobs here in America. Let us pass this rule. Let us pass this bill. And, in doing so, we will help keep and create jobs right here in America.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield at this time 3 minutes to my good friend and classmate from Michigan (Mr. STUPAK) who also has a district that has environmentally sensitive areas.

Mr. STUPAK. Mr. Speaker, as Congress gets ready for the Fourth of July recess, I am reminded again that we do not have a Federal price gouging law on the books. And just in time for the Fourth of July.

In Marquette, Michigan, last night, gas prices were $2.89. When my constituents woke up this morning, it is now $3.09. Just in time for the Fourth of July.

For almost a year now, we Democrats have been calling on the Republican leadership to allow a real gas price-gouging bill to be passed in the law. One hundred and thirty-five Members of this body have signed a discharge petition requesting that my legislation, the Federal Response to Energy Emergencies, the FREE Act, be brought to the floor for a vote. After continued lobbying from Democrats, Republicans finally introduced their own legislation, which was called ''price gouging,'' and it is price gouging in theme only, and that bill was passed by this body in May.

Unlike the Republican price-gouging legislation, my legislation, the FREE Act, would specifically set guidelines for the Federal Trade Commission to use to define price gouging, including provisions that would make illegal unconscionable pricing, providing false information, and market manipulation.

The FREE Act also contains a provision that would promote price transparency, helping the consumer to understand the information to know what gas and oil prices should be that would be fair and reasonable.

The FREE Act would also apply to natural gas and propane. Neither natural gas nor propane is addressed in the Republican bill.

Despite efforts to sugar-coat the Federal Trade Commission's recently released Investigation of Gasoline Price Manipulation and Post-Katrina Gasoline Price Increases, the FTA, the Federal Trade Commission, did find that, after Hurricane Katrina refiners, wholesalers, retailers charged significantly higher gas prices that were not attributable to either increased costs or international market trends.

Mr. Speaker, the American people are fed up. They know price gouging when they see it, and they are being gouged like my constituents in Marquette, Michigan, just today. The Federal Government has a responsibility

to protect consumers from price gouging. Price-gouging legislation is long overdue.

Congress needs to pass legislation to allow the FTC to prosecute price gouging. Our constituents are looking to us, to Congress, for relief. It is our duty to approve legislation that would provide that relief, to protect Americans from increased financial hardship that price gouging and high gas prices create, especially during the summer tourism months.

Whether you support the Pombo bill or not, I encourage my colleagues to vote ''no'' on the previous question so that we can consider the FREE Act, a real price-gouging bill that can provide relief for gas customers today.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I will be asking Members to vote ''no'' on the previous question. If the previous question is defeated, I will amend the rule to provide that immediately after the House adopts this rule it will take up legislation to do as Mr. STUPAK just rightly said, stop price gouging at the gas pump and provide some immediate relief for the American consumer.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, as we consider this bill today that further opens up our precious coastal resources to the oil industry, should we not also be talking about how those oil companies treat Americans at the gas pump? Should they be allowed to drill the oil that belongs to the American people and then turn around and sell it to us at unconscionable prices?

They did not drill 3 years ago because the price of a barrel of oil was $30. Now it is $70, and they are ready to go drill. By that time, it will be $80, and then turn around and sell it to us at prices that are unconscionable.

If the previous question is defeated, I will ask the House to take up H.R. 3936, Representative STUPAK's bill.

Members should be aware that a ''no'' vote will not prevent consideration of H.R. 4761 and it will not affect any of the amendments that are in order under this rule. But a ''no'' vote will allow us to vote on something to bring real relief to the American people and not degrade the environment in our Outer Continental Shelf.

Vote ''no'' on the previous question.

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

Mrs. CAPITO. Mr. Speaker, I yield myself the balance of my time.

We have certainly had a lively and spirited debate on this rule, and I am sure it will continue as we debate the legislation.

I would like to remind Members that for 6 years we did not have a comprehensive national energy policy, and the result has been higher prices for consumers and businesses. This underlying legislation is one component that will help ease the burden on consumers and manufacturers, and we all look forward to future debates on a myriad of energy solutions so we are better prepared for our future.

I see this as a jobs bill. I also see it as a helping hand to those seniors and those lower-income citizens who are having to pay the high cost of heating their homes and gasoline at the gas station.

This bipartisan legislation received the vast majority of votes in the Committee on Resources, and I encourage all Members to support an improved energy policy for the future.

I urge all Members of this fair rule and the underlying legislation.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION FOR H. RES. 897—RULE ON H.R. 4761 THE DEEP OCEAN ENERGY RESOURCES ACT OF 2006

At the end of the resolution add the following new section:

''Sec. ____. Immediately upon the adoption of this resolution, it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3936) to protect consumers from price-gouging of gasoline and other fuels during energy emergencies, and for other purposes. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) 60 minutes of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Energy and Commerce; and (2) one motion to recommit with or without instructions.''

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule * * * When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1300

## PROVIDING FOR CONSIDERATION OF H. RES. 895, SUPPORTING INTELLIGENCE AND LAW ENFORCEMENT PROGRAMS TO TRACK TERRORISTS AND TERRORIST FINANCES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 896 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 896

*Resolved,* That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in

the House the resolution (H. Res. 895) supporting intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate Congressional consultation and specifically condemning the disclosure and publication of classified information that impairs the international fight against terrorism and needlessly exposes Americans to the threat of further terror attacks by revealing a crucial method by which terrorists are traced through their finances. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit which may not instructions.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Thank you, Mr. Speaker.

Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York, Congresswoman LOUISE SLAUGHTER, pending which I yield myself such time as I may consume. During consideration of this resolution, all time is yielded for the purpose of debate only.

This rule provides for 1 hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. It waives all points of order against consideration of the resolution and, as always, provides the minority with one motion to recommit, which may not contain instructions.

Mr. Speaker, I rise today in strong support of this rule and its underlying simple House resolution that allows the House of Representatives to take a very clear position on our collective commitment to identifying and tracking terrorist finances and our condemnation of the disclosure of any information that puts the lives of American citizens at risk.

Today, throughout the course of the debate, we will hear a great number of accusations hurled from those Members opposed to this resolution. It is their right to dissent. That is the basis of our democracy. However, it needs to be made clear at the outset what this resolution does and what it does not do. What this resolution does is simple:

It states that the U.S. House of Representatives supports efforts to identify, track and pursue suspected foreign terrorists and their financial supporters by tracking terrorist money flows and uncovering terrorist networks and that the House finds that the Terrorist Financing Tracking Program has been conducted in accordance with all applicable laws, regulations and executive orders, and that the appropriate safeguards and reviews have been instituted to protect civil liberties and that Congress was duly informed of this fact.

It also says that the House condemns the unauthorized disclosure of classified information and expresses concern that disclosure of this information may endanger the lives of American citizens and our efforts, and that the House expects the cooperation of all news media in protecting the lives of Americans and the capacity of the government to identify, disrupt and capture terrorists by not disclosing classified intelligence programs such as the Terrorist Finance Tracking Program.

This resolution does not single out or censure any specific media outlet for its disclosure of classified information that has put American lives at risk and made our allies less likely to share classified data in the future. Nor does it chill first amendment rights or prevent the news media from performing their constitutionally protected activities. We will hear these kinds of accusations today time and time again from the other side, Mr. Speaker, and it is important to make clear from the outset that they are simply not true.

The basis for the House taking this position is just as clear. We know that after our country was attacked on September 11, President Bush launched a full-on campaign against terrorist financing and authorized the Treasury Department to track the financial supporters of terrorist groups like al Qaeda, Hamas and Hezbollah to prevent any further attacks on American citizens either here or abroad.

We know that by following these monetary transfers, the United States has been able to locate and identify terrorists and their financers, chart shadowy terrorist networks, and keep funds out of the hands of these criminals. We also know that data provided by this program helped to identify a Brooklyn man who was convicted of laundering $200,000 through a Pakistani bank on behalf of al Qaeda. This program also facilitated the capture of the mastermind of the Bali resort bombing of 2002.

This terror finance-tracking program, better known as the SWIFT program, has been invaluable in protecting American lives and choking off the sources of terror funding. It is exactly the kind of limited, legal and effective program that we need to hunt down and starve terrorists of the funding that they use to attack American interests and citizens.

As with any national security program, the administration must be protective of the sources and methods it uses to execute its mission. Disclosure of this program has degraded our national security and injured our efforts to prevent terrorist activity by allowing our enemies to understand what steps we were taking to stop them. And in a situation where it is vital to always remain one step ahead of your enemy, the consequences of showing them our techniques has potentially devastating and life-threatening consequences.

Mr. Speaker, I urge all of my colleagues to speak with one voice today in recognizing the importance of identifying, tracking and ending the financing of terror and condemning any actions that would allow the unauthorized disclosure of information that helps our government to achieve this end. I urge the adoption of this rule and the underlying resolution.

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

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

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

Ms. SLAUGHTER. Mr. Speaker, for all those who will in future years look back on the vote we take today as a window into the soul of this Congress, for all those who will see the approval or defeat of this bill as a testament to how committed this body was to the ideals from which our Nation draws its strength, for them, let me be very clear. On this day, the Republican majority shamelessly played politics with our most cherished principles.

From the very beginning, this resolution and this so-called debate has been about one thing and one thing only: election politics. Six months before our midterm elections, Republicans are falling back on the one play that has worked for them time and time again. They are sowing fear in the hearts of the American people and labeling any individual or organization that doesn't take its marching orders from the White House as a threat to our Nation.

Think of what we have heard from leading Republicans over the past few days. They have called the disclosure of the SWIFT anti-terrorist program a ''disgrace.'' They have accused the newspaper that first wrote about it, the New York Times, of forcing its, quote, arrogant, elitist, left-wing agenda on the rest of the country.

Mr. Speaker, if all this is true, then I have no choice but to conclude that our President, President Bush himself, is a disgraceful, arrogant, left-wing elitist, because it was Mr. Bush who leaked this story. Mr. Bush, as well as numerous top-ranking members of his administration, have proudly discussed their efforts to eliminate the finances of terrorists for 5 years. Not two weeks after September 11, 2001, President Bush told the world the United States had ''launched a strike on the financial foundation of the global terror network.'' Such claims have been made time and time again, not just by the President but by every top Republican official in power.

What is more, no fewer than 20 current and former administration officials spoke to New York Times reporters about the SWIFT program. Where do you think the Times heard it? The article that started this all could not have been written without their active help. What the New York Times did, as well as the Wall Street Journal, the Los Angeles Times, The Washington Post, and newspapers throughout the country through news services, was to

publish a story which had, in effect, already been published a thousand times over by the White House itself and had even been on the Internet.

The end result is a Republican administration intentionally leaking a story, as they did to Judith Miller of the New York Times who was then their heroine, both publicly and privately, and then punishing the newspaper for reporting on its leaks. In such a context, the notion that one of our newspapers violated our national security last week is ludicrous on its face.

Think of this degree of Republican hypocrisy and then consider this: the bill before us claims to stand against leaks. But it comes 6 years into an administration that has always been willing to leak even the most sensitive information if it thought it would benefit from it politically. It is the height of irony to think that when the Bush administration sought to silence critics of its pre-Iraq war intelligence claims, it chose to leak the classified identity of a CIA agent, as well as previously classified components of a national security estimate to, of all places, the New York Times. But it did so, and it did so willingly.

Where were the resolutions of protest from the majority during that scandal? Did we have any expression of outrage over the leaking of a covert agent who, I am told, not only jeopardized her contacts with the CIA but the entire intelligence network itself because people would not trust us anymore? Where were the resolutions of protest about that? Nowhere.

Where was the outrage when a national security asset, as well as all of her contacts in the intelligence community, were put into danger? There was none, because Republicans deemed that was a permissible leak, and it was profitable.

The Republican outrage we see today stinks to high heaven because the leak of Valerie Plame's identity last year came from high-up, the highest ranks of its own White House. And when all the contradictions inherent in this bill are laid bare, we can see what it is actually all about.

Republicans need to change the subject of the real debate everyday people are having in the country. That debate is about the wisdom of this 3-year, $400 billion war in Iraq that is still claiming American lives even today. It is about the numerous scandals of its own creation that the majority is scrambling to explain away. It is about the fact that Republicans have been entirely unwilling to exercise any form of meaningful oversight over the programs implemented by Congress and the White House with disastrous results to our Nation. It is about the very direction that America will take in the years ahead.

Democrats are eager to debate all of these issues. But Republicans, as we see today, are interested only in inventing enemies to point fingers at and turn the public against. And to do so, Mr. Speaker, they are willing to jeopardize even our most basic and fundamental principles. They are willing with this bill and with what they have and will say on the floor today to make it the province of Congress to dictate to our cherished independent media what it can and cannot report about and what it can and cannot say.

But blaming the messenger is nothing new in this country, Mr. Speaker. The first time a newspaper was punished by an elected official was in 1735 when a New York publisher wrote unflattering things about the Governor of the New York territory and was put in jail. Only a few decades later, the Alien and Sedition Acts were passed by Congress to silence those who opposed American involvement in a war with France.

But to today threaten retribution and legal action against virtually every news organization in this country simply to gain a few points in the polls? It is a debasement of this Congress and a desecration of our Nation's ideals.

Mr. Speaker, my friends on the other side of the aisle and in the White House have a right to be worried about what lies ahead for them, but what they do not have the right to do is to politicize our national security. They do not have the right to hypocritically and arbitrarily decide when the Nation has been endangered by a leak and when a leak is entirely acceptable. And they most certainly do not have the right to reshape this Congress into a body concerned with, in truth, little more than political retribution against an equally arbitrary ''enemies list.''

The American people expect this majority and this administration to guard information, not punish newspapers from writing about it after it has been officially revealed at the highest source of the government. Think about that for a moment. The President of the United States time after time after time has bragged on this program and yet pillories the New York Times and other papers for writing about it.

The citizens of this country understand that at the end of the day, the job of protecting our national security falls on the shoulders of our elected officials, not just on journalists whose primary duty is to objectively report on the world around us. Our citizens expect this body to do much more than it is doing here today. They expect it to follow a higher calling. And they are right.

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

Mr. SESSIONS. Mr. Speaker, the President of the United States did speak about this opportunity that we had as a result of what the Congress passed the law asking and giving the legal authority to the President to track financial transactions. The Congress had already spoken about it as we were debating whether we were going to pass that law. In fact, the President did as a result of these disclosures of finding terrorists say that we found financial ends and means by which terrorists were being supported.

□ 1315

But I will strongly disagree with the young woman from New York in her characterization that the President spilled the beans on all of this. Not true. It was someone going and talking to over 20 people, revealing intimate details of what the plan was. Not that it existed, but how it worked, where it was formed, where we gathered information, how things were done.

And that is a desperate attempt by someone to go and provide the enemy with information that would allow them to work around those things that we had established. What we are talking about is classified information, not the knowledge that something is happening. And classified information in detail about not just the summary of this, but in details, is what we are concerned about today.

So I disagree with the gentlewoman from New York. I believe that her characterization is not only wrong, but it is also aimed at the wrong people. We had hoped and would still hope that the minority today would see that what we are talking about is sharing of classified information and that we believe it is the wrong thing to do.

Mr. Speaker, I yield 6 minutes to the gentleman from Ohio (Mr. OXLEY), the chairman of the Financial Services Committee.

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

Mr. OXLEY. Mr. Speaker, I thank the gentleman from Texas for yielding. And let me say at the outset I appreciate his good work on the Rules Committee and affording us the opportunity to testify last evening on this legislation.

I did not introduce this bill, or this resolution, for political purposes. I have a deep respect for our process and our institution here. I introduced that resolution to send a signal that a lot of people in this Congress, on both sides of the aisle, are pretty sick and tired of people leaking classified information, secret classified information, and having the media report it with no responsibility, no accountability whatsoever.

They are endangering our fighting men and women in Iraq and all over the world. They endanger the very freedoms that we enjoy. And it has been a continual frustration, whether it was the NSA revelations or the wire-tapping of al Qaeda suspects who are talking to people or emailing people in the United States.

This is the third time in a relatively short period of time that this country has been witness to essentially treasonous behavior on the part of individuals who leak classified information, clearly against the law, clearly against the law, and then brazenly reported in the front pages of major newspapers, aiding and abetting the enemy.

We are at war, ladies and gentlemen. Now, some of you folks find that an inconvenient fact, but we are at war. And when the Congress responded with the PATRIOT Act shortly after 9/11, that was supported by a broad array of Members on both sides of the aisle and with editorials in the New York Times and other newspapers telling the administration they better get on the case and set up ways that we can intercept terrorist financing.

Part of that legislation came out of my committee. We are pretty proud of what we did in that antimoney laundering, antiterrorist funding legislation that we made part of the PATRIOT Act. And guess what? It has worked. Now, that may drive some of these people crazy in certain editorial boards. But the fact is this program has worked effectively and efficiently since it was set up for the first time.

Even the New York Times in their editorial, the editorial board of the New York Times specifically called on Congress and the administration to set up programs to intercept and monitor financial reporting internationally. And this program has worked effectively well.

The President of the United States was not dumb enough to go out there and talk about methods and ways that this program worked, as the gentleman from Texas said. He talked about the program existing. But he did not say how it worked on a day-to-day basis. And now we have it spread all over the news media about how this program works. What is the average terrorist to think?

He is going to find a different way to move his money around, that is what he is going to do. He is going to change his behavior. So this resolution was set up to first of all say this is a very effective program. Let me just go over the four basic points of this resolution.

One, it supports the government's efforts to identify, track, and pursue terrorists and their financial supporters. Now, if you are against that, then vote ''no.''

Two, finds that the Treasury Department's Terrorist Financing Tracking Program has been conducted in accordance with law, with appropriate safeguards and reviews to protect individual civil liberties, and in consultation with and oversight by the Congress. If you don't like that, then vote against it.

Three, condemns the unauthorized disclosure of classified information. Who among us is not going to agree with that?

Four, calls on the news media organizations to stop disclosing classified intelligence programs that protect the lives of Americans and the capability of the government to identify, disrupt and capture terrorists.

That is what this resolution says. So read the resolution and then tell me what part of that resolution you don't agree with. And if you don't agree with it, then by all means vote ''no.''

I would like to close by quoting Mort Kondracke in a recent edition of Roll Call in his column. He says this: ''Would newspapers in the midst of World War II have printed the fact that the U.S. has broken German and Japanese codes, enabling the enemy to secure its communications, or reveal how and where Nazi spies were being interrogated?''

Mr. Kondracke goes on to say: ''Nowadays newspapers win Pulitzer Prizes for such disclosures.'' And then he goes on to say: ''The situation is very serious; in fact it is dire.'' It is dire. Now, I don't consider Mort Kondracke to be from the far right. But he has nailed this basic question that this resolution addresses.

We all, as Members of Congress, have a responsibility to protect this Nation and its people. And one of the ways we do it is making sure that we can track terrorist financing and do it and protect civil liberties, and we are doing just that.

And this resolution confirms that. I ask all of the Members on both sides of the aisle to support this resolution because this is really at the heart of a gut-check in this country, whether we are going to allow for this kind of behavior to take place, leaking classified information and then having newspapers win a Pulitzer Prize as a result.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 2 seconds to say I am sorry this House did not care about the leaking of Valerie Plame to that extent.

Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, let's be honest. We are here today because there has not been enough red meat thrown at the Republican base before the Fourth of July recess. That is why we are here. So just in the nick of time, we have H. Res. 895.

The rule for this resolution is of course completely closed. Not even a substitute is made in order. The Republican leadership of this House does not even make a pretense of being fair and open and democratic any more. Under their leadership, this House makes the old politburo look like a New England town meeting. It is disgraceful.

This resolution purports to be about protecting our national security, about protecting the most sensitive secrets in the Federal Government. Mr. Speaker, no one in this House supports the disclosure of classified information that could genuinely endanger the lives of Americans.

But we all know that is not what is going on here. In reality, it is an attempt to punish and intimidate the New York Times and other newspapers for publishing a story about the administration's surveillance of international financial transactions.

The Times reported on surveillance of transactions to the Society for Worldwide Interbank Financial Telecommunication, or SWIFT.

But as the Boston Globe recently reported, the Bush administration itself has publicly and repeatedly talked about this issue since September 11.

Roger Cressey, a senior White House counterterrorism official until 2003, told the Globe: ''There have been public references to SWIFT before. The White House is overreaching when they say the New York Times committed a crime against the war on terror. It has been in the public domain before.''

Further, the Globe notes that a report to the U.N. Security Council in late 2001 said that SWIFT and other worldwide financial clearing houses ''are critical to processing international banking transactions and are rich with payment information. The United States has begun to apply new monitoring techniques to spot and verify suspicious transactions. The group recommends the adoption of similar mechanisms by other countries.''

How many times have we heard the Bush administration talking about the need to monitor and disrupt terrorist financial transactions? How many times have we heard them bragging about their success in doing so? Too many to count. So it does not even pass the laugh test when Members of Congress start using words like ''treason,'' when they start calling for criminal prosecution against newspapers, when they circulate ludicrous Dear Colleague letters threatening to revoke the Times credentials to cover Congress.

Even worse, Mr. Speaker, is the rank hypocrisy exposed by this resolution. The Bush administration and their Republican allies in Congress say they are outraged by leaks of sensitive information. Well, as the ranking member on the Rules Committee pointed out, where was their outrage when White House officials leaked the name of an undercover CIA officer in an attempt to smear her husband?

Where was their outrage when White House officials leaked false and misleading intelligence about weapons of mass destruction in Iraq in order to bolster their case for war? Those leaks, I should note, were made to the same New York Times that has their knickers in a twist today.

Where was their outrage when General Casey's plan for potential troop reductions in Iraq suddenly appeared in the Times and in other newspapers? Now, I assume that given their outrage today, we will never again see sensitive information attributed to a ''senior administration official'' or ''a senior House Republican.''

What is really going on here, Mr. Speaker, is that the administration and their allies have no problems with leaks to the press when those leaks advance their political agenda. But if a leak contradicts their agenda, suddenly they call it treason. They suffer from a case of selective outrage.

This administration is obsessed with secrecy, with controlling the flow of information in this country, with shutting out the other branches of government, with signing statements that make clear they have no intention of following the law, with bullying their critics into silence by questioning their patriotism.

Time after time this Congress has acquiesced. For the Republican leadership, oversight is a four-letter word. Not since Richard Nixon has it been more important to have an unfettered and free press, because that is the only check left on the imperial Presidency in America today.

Mr. Speaker, I am confident that the American people will see through this. And I urge my colleagues to do the same. Reject this closed rule and reject this resolution.

[From the Boston Globe, June 28, 2006]

TERRORIST FUNDS-TRACKING NO SECRET, SOME S (BINDE

(By Bryan Bender)

WASHINGTON.—News reports disclosing the Bush administration's use of a special bank surveillance program to track terrorist financing spurred outrage in the White House and on Capitol Hill, but some specialists pointed out yesterday that the government itself has publicly discussed its stepped-up efforts to monitor terrorist finances since the Sept. 11, 2001, attacks.

On Monday, President Bush said it was ''disgraceful'' that The New York Times and other media outlets reported last week that the US government was quietly monitoring international financial transactions handled by an industry-owned cooperative in Belgium called the Society for Worldwide Interbank Financial Communication, or SWIFT, which is controlled by nearly 8,000 institutions in 20 countries. The Washington Post, the Los Angeles Times, and The Wall Street Journal also reported about the program.

The controversy continued to simmer yesterday when Senator Jim Bunning, a Republican of Kentucky, accused the Times of ''treason,'' telling reporters in a conference call that it ''scares the devil out of me'' that the media would reveal such sensitive information. Senator Pat Roberts, a Kansas Republican, requested US intelligence agencies to assess whether the reports have damaged anti-terrorism operations. And Representative Peter King, the chairman of the House Homeland Security Committee, has urged Attorney General Albetrto Gonzalez to pursue ''possible criminal prosecution'' of the Times, which has reported on other secret government surveillance programs. The New York Times Co. owns The Boston Globe.

But a search of public records—government documents posted on the Internet, congressional testimony, guidelines for bank examiners, and even an executive order President Bush signed in September 2001—describe how US authorities have openly sought new tools to track terrorist financing since 2001. That includes getting access to information about terrorist-linked wire transfers and other transactions, including those that travel through SWIFT.

''There have peen public references to SWIFT before,'' said Roger Cressey, a senior White House counterterrorism official until 2003. ''The White House is overreaching when they say [The New York Times committed] a crime against the war on terror. It has been in the public domain before.''

Victor D. Comrass, a former US diplomat who oversaw efforts at the United Nations to improve international measures to combat terror financing, said it was common knowledge that worldwide financial transactions were being closely monitored for links to terrorists. ''A lot of people were aware that this was going on,'' said Comras, one of a half-dozen financial experts UN Secretary General Kofi Annan recruited for the task.

''Unless they were pretty dumb, they had to assume'' their transactions were being monitored, Comras said of terrorist group. ''We have spent the last four years bragging how effective we have been in tracking terrorist financing.''

Indeed, a report that Comras co-authored in 2002 for the UN Security Council specifically mentioned SWIFT as a source of financial information that the United States had tapped into. The system, which handles trillions of dollars in worldwide transactions each day, serves as a main hub for banks and other financial institutions that move money around the world. According to The New York Times, SWIFT executives agreed to give the Treasury Department and the CIA broad access to its database.

SWIFT and other worldwide financial clearinghouses ''are critical to processing international banking transactions and are rich with payment information,'' according to the 33–page report by the terrorist monitoring group established by the UN Security Council in late 2001. ''The United States has begun to apply new monitoring techniques to spot and verify suspicious transactions. The group recommends the adoption of similar mechanisms by other countries.''

Some worry that the new disclosures will nonetheless hamper US counter-terrorism efforts.

''I worked this stuff and I can guarantee that [revealing the SWIFT] information made a difference,'' said Dennis Lormel, a retired FBI special agent who helped establish the bureau's Terrorist Financing Operations Section before leaving government in 2003. ''The disclosure will have an adverse impact on investigations. It was used in two specific instances where it helped to track terrorists. We also used it for lead value.''

But the White House has also been very public about its efforts to track the overseas banking transactions of Americans and other foreign nationals.

Less than two weeks after the 9/11 attacks, Bush signed an executive order calling for greater cooperation with foreign entities to monitor money that might be headed to terrorist groups. The executive order was posted on the White House website.

The document called for ''cooperation with, and sharing information by, United States and foreign financial institutions as an additional tool to enable the United States to combat the financing of terrorism.''

Richard Newcomb, the head of the Treasury Department's Office of Foreign Asset Control at the time, later publicly credited the president for enabling US law enforcement and intelligence agencies to nab suspected terrorists, including followers of ''Hambali,'' Al Qaeda's leader in Southeast Asia. The New York Times report said Hambali's capture in 2003 came with the aid of information gleaned from SWIFT.

Administration officials have said this week that the disclosure of such details were particularly damaging to US security.

Nevertheless, in July 2003—a month before Hambali was captured—Newcomb told the Senate Government Affairs Committee in detail about a program initiated after 9/11 between his office and the Pentagon to track Hambali's financial network in Southeast Asia. The scope of the project included Indonesia, the Philippines, Malaysia, and Singapore, focusing on the finances of Jemaa Islamiyah, the Al Qaeda group run by Hambali that was responsible for deadly bombings in Bali in 2002.

He said the operation ''identified the key leaders, fund-raisers, businessmen, recruiters, companies, charities, mosques, and schools that were part of [Jamaa Islamiyah] support network. Thus far, we have imposed sanctions against two of these key nodes, and are coordinating action against several others,'' Newcomb told the committee.

Other public documents have also detailed post-9/11 efforts to follow terrorist money.

The Patriot Act approved by Congress after the attacks emphasized providing new authorities for the Bush administration to track and choke off terrorist funds around the world. One part of the act, dealing specifically with terrorist money, was described by the Treasury Department as the most ''significant [anti-money-laundering] law'' since a 1970 law requiring banks to report cash transactions over $10,000.

That section of the Patriot Act required the Bush administration to ''adopt regulations to encourage further cooperation among financial institutions, their regulatory authorities, and law enforcement authorities'' to track terrorist-related money laundering.

In testimony before Congress in early 2002, Juan C. Zarate, deputy assistant Treasury secretary in charge of terrorism and violent crime, discussed how the global exchange of information was a key element in choking off their source of funds.

He cited a special international meeting hosted a month after the attacks by the International Financial Crimes Enforcement Network, ''to eliminate existing impediments to exchanging information'' between financial institutions and to find solutions to the challenges of tracking terrorist funds.

Mr. SESSIONS. Well, we just heard it. It's okay to leak classified information. New York Times, it's okay. Democrat Party, no problem. That is what the power of the press should be all about. We need them now more than ever, Mr. Speaker.

Mr. Speaker, I disagree with that.

Mr. McGOVERN. Will the gentleman yield?

Mr. SESSIONS. Leaking classified information is wrong.

Mr. McGOVERN. That is not what I said.

Mr. SESSIONS. And the——

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Texas controls the time.

Mr. SESSIONS. Mr. Speaker, we are asking for all Members of Congress to universally say today we believe the leaking of classified information is wrong. And that is what we are here for today. I am disappointed that we have Members of this body that say that is what a free press is all about, to leak classified information.

Mr. McGOVERN. Will the gentleman yield?

Mr. SESSIONS. It is a real sad day in this House, Mr. Speaker.

Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I thank the gentleman from Texas for yielding me time.

Mr. Speaker, this country is witnessing disgraceful and illegal leaks of classified programs and processes that have successfully protected this country from attacks since September 11, 2001.

The evidence is printed in black and white in our own newspapers. Revealing those classified programs is very damaging to our Nation and to the safety and security of our citizens. I believe those reports revealing successful classified tools to combat terrorism will also cost millions and millions of dollars as well as the loss of safety. It is simply wrong. It is illegal.

The gentleman from Ohio pointed out that this is not the first time leaks have occurred.

□ 1330

It should be the last. It must be stopped now. In fact, Mr. Speaker, it is my hope that the Department of Justice will convene a grand jury and provide immunity to the papers, to the editors and to the reporters if, and only if, they will reveal their government sources, the real cause of the leaks. Then I hope we will prosecute them, and I hope that the judge will hold them in contempt if they fail to produce these sources.

I believe these government leakers are politically motivated. They are doing it to embarrass this administration, and this is why the minority wants to protect them. The leakers were not successful, nor were the papers. They have not embarrassed this administration, but the leakers have damaged the security and our relationship with our partners.

Mr. Speaker, Congress needs to send a strong message condemning these leaks. We must stop the leakers, the government leakers, because they jeopardize us all.

Mr. Speaker, I hope we pass this rule and we pass this bill and send a very strong message that we will not tolerate leaks coming from our government that harm our citizens.

Ms. SLAUGHTER. Mr. Speaker, for the purposes of clarification, I yield 30 seconds to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, for the record, I just want to state that I deeply resent the gentleman from Texas deliberately mischaracterizing what I said here on the House floor; and let me repeat for him what I said: That no one in this House supports the disclosure of classified information that could endanger the lives of Americans.

I would simply say to the gentleman from Texas that the American people are sick and tired of the smears that have gone on here. We can have a debate. You don't need to smear or mischaracterize what I said.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 5½ minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time and for her leadership on our committee.

Mr. Speaker, today we debate a resolution with far-reaching implications. It affirms the legal authority for the so-called Terrorist Finance Tracking program. It would also condemn the unauthorized disclosure of classified information. Finally, it sets the expectation that news outlets will yield to the government's decision whether or not to publish stories with classified information.

A vote in favor of this resolution would affirm each of these points: Assertions about a classified program that cannot be proved or disproved with the limited information available; assertions that implicitly threaten the freedom of press enshrined in our Constitution.

Because of the closed rule, Members are prevented from correcting its inaccuracies. So if the choice is simply an up-or-down vote, the resolution must be voted down.

Mr. Speaker, it is unclear how the information disclosed by the Wall Street Journal and New York Times and several other newspapers around the country differed from what was already in the public record.

As the Boston Globe documented yesterday, anyone with an Internet connection could have read the President's executive order authorizing increased efforts to track terrorist financing.

Public testimony to Congress has described how the administration is actively utilizing wire transfers and other financial transactions to track terrorists around the globe. As one former U.S. diplomat noted, ''We have spent the last four years bragging how effective we have been in tracking terrorist financing.''

Tracking financial transactions is a general principle of counterterrorism. The question should be the specific ways this administration uses this tool.

The administration's actions have indicated consistently that, in a time of war, it is above the law. This raises the concern over how well we as a Nation strike the balance between security and civil liberty and how we scrutinize the outcome.

This leads to a second, important point. Consultation and oversight by the full House and Senate Intelligence Committees is required to check the potential for abuse of power. It is not clear this happened as the resolution asserts.

Many Members sitting on those panels do not think the limited information given to them meets the required threshold of consultation. Without that, this body cannot judge the program's legal basis, nor ensure a balance is struck between security and civil liberties.

Notwithstanding information already in the public domain, some government officials may have disclosed classified information about this program. As a result, the Director of National Intelligence has begun a classified investigation. Anyone who leaked this information should be prosecuted to the full extent of the law.

Recent history is not encouraging, however. Three years ago next month, classified information was deliberately leaked to the press for political purposes by one or more senior White House officials. The intelligence community expressed outrage over the disclosure of Valerie Plame. A network of U.S. intelligence sources developed over the course of several decades was endangered.

At no time did the House leadership bring a resolution to the floor condemning the leak. Every effort by Democrats to investigate the incident was blocked. While the resolution before us references other past leaks of classified information by name, it remains silent about this particular incident.

Mr. Speaker, the fundamental challenge facing our Nation in the aftermath of 9/11 is how to guarantee the security of our citizens without sacrificing the fundamental principles upon which this great Nation is founded. Guaranteeing security is about the end goal. Guaranteeing those fundamental principles is about how we get there. We cannot allow either principle to erode, and the wisdom of including both in our Nation's founding document indicates that our greatest leaders did not see these ideas as contradictory.

My local newspaper, the Sacramento Bee, has an editorial of their own this morning which speaks to this subject, and I will insert the full text into the record at the end, but it reads in part, ''The first amendment's durability rests not only on its text but on a longstanding unwritten bargain between government and the press that both will do their best to avoid straying over that line.''

I could not agree more. I urge my colleagues to reject this rule and the underlying resolution.

EDITORIAL: WHO'S OVERREACHING?

President Bush has condemned as ''disgraceful'' several newspapers'' reports about a government program that monitors international financial transactions. Some congressional Republicans go further: Sen. JIM BUNNING of Kentucky accused the New York Times of ''treason'' and Senate Intelligence Committee Chairman PAT ROBERTS of Kansas wants intelligence agencies to assess the extent of damage to national security.

What's ironic about this is, first, that the news reports, while they added much detail, merely described a program that's been no secret to anyone who has followed the administration's anti-terrorist efforts. And if there's any investigative tool that most Americans would probably agree is a proper one, it's tracking suspected terrorist finances.

A major component of that tool has been a Belgium-based database called SWIFT—Society for Worldwide Interbank Financial Telecommunication—that tracks millions of financial' transfers, many of them between this country and others. SWIFT serves as a clearinghouse for financial institutions worldwide. The president was infuriated because, he said, disclosure of the program to tap into SWIFT's database ''does great harm to . . . America'' by tipping off suspects.

That's debatable.

Amid the hue and cry from the White House and Capitol Hill, less fevered voices

tried to put things in perspective. Roger Cressey, a former U.S. counterterrorism official, said the White House is ''overreaching,'' that the SWIFT program ''has been in the public domain before.'' And a former U.S. diplomat, Victor Comras, who was involved at the United Nations in efforts to combat terrorist financing, told the Boston Globe: ''A lot of people were aware that this was going on,'' and that ''unless they [terrorists] were pretty dumb, they had to assume'' their transactions were being monitored.

That makes sense. And so do the frenzied calls to crack down on the news media, at least in a politically partisan sense.

Never mind that some members of Congress had been briefed on the program and that all Americans have known for years about the Government's efforts to uncover terrorist financial movements and seize assets.

This issue provides a convenient campaign weapon for supporters of the Bush administration to use against ''soft-on-terrorism'' officeholders, especially Democrats, and against critics in the news media. All of the frothing in Washington raises the possibility that some in Congress will seek to muzzle the press with legislation, subpoenas or other means of intimidation. The long-term effects of such actions might stifle the free flow of information in a society that treasures it, but whose current administration not only has an overdeveloped passion for secrecy but has used that secrecy to cover an array of abuses, including the abuse of people in U.S. custody, some of whom turned out to be innocent.

Such actions have tarnished America's reputation and subverted its values. They deserve to be held up to the light of day, no matter how unflattering the result may be to those now in power.

The line between what's fair to publish and what might hurt national security is a blurry one. The First Amendment's durability rests not only on its text, but on a longstanding unwritten bargain between government and the press that both will do their best to avoid straying over that line. The burden is on an administration that has gone much too far in the name of national security to show that news organizations have done the same in the name of press freedom. That's not evident.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, following the absolutely horrific attacks on our Nation of 9/11, the news media condemned our government for not connecting the dots on how we could have prevented those attacks. We have had government employees who spoke of their inability to gather necessary information or to share that information with others in government.

The 9/11 Commission stated the need to be more aggressive in gathering information on those who seek to murder our fellow citizens. To address this problem, Congress authorized the administration to take all appropriate measures to track down the terrorists; and the administration has done so, with the appropriate oversight by our Intelligence Committees.

But now some in government service who have been entrusted with Top Secret classified information have repeatedly taken it upon themselves to illegally leak those secrets; and they have leaked those secrets to a news media, some of them all too willing to give our playbook to the enemy, giving them the opportunity to adapt and to evade, the same news media that had previously condemned our government's inability to uncover terrorist plots.

By illegally leaking and irresponsibly publishing our secrets, the lives of our fellow citizens, our fellow Americans and our brave men and women in uniform who defend our freedom are endangered.

It is certainly disappointing, but not surprising, that my colleagues on the Democratic side see this issue in light of how it might be used to their political advantage, rather than wondering how it might seriously undermine our national security.

I would urge my colleagues to send a very strong message that this Congress will not stand idly by while loose lips are allowed to cost innocent lives.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 6 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I thank Ranking Member SLAUGHTER for your extraordinary leadership on not just this subject but countless subjects dealing with the liberties of American citizens.

Last night in the Rules Committee, Ms. SLAUGHTER said that this was an historic moment. I could not agree more with that fact.

This does not call for hyperbole or hyperventilation or fancy rhetorical flourishes. This particular measure has the weight that must have existed at the time that the Founding Fathers and Mothers of this country gave birth to the first amendment of the United States Constitution.

If there had been no reporting in the free press during the period of the colonies as to what King George and those persons were doing, there may never have been an American Revolution.

Almost exactly 35 years ago, the eminent Mr. Justice Potter Stewart in the Pentagon Papers said this: ''In the absence of the governmental checks and balances present in other areas of our national life, the only effective restraint upon executive policy and power in the areas of national defense and international affairs may lie in an enlightened citizenry, in an informed and critical public opinion which alone can here protect the values of democratic government,'' he wrote.

He continued, ''For this reason, it is perhaps here that a press that is alert, aware, and free most vitally serves the basic purpose of the first amendment. For without an informed and free press, there cannot be an enlightened people.''

I have had the distinct privilege of being the president of an international organization, the Organization for Security and Cooperation in Europe, its parliamentary assembly that Ms. SLAUGHTER and others are members of as well; and during that period I was the lead election monitor in places where democracy is trying to find root but in places where journalists courageously went forward to offer information that should be offered against those administrations, Belarus being an example of that, where there is no free press and where the people cannot rise up, as they did in Ukraine where the press played a major role.

I believe this administration operates on the premise the best defense is a good offense. It is never any accountability with them. It is always somebody else did something. A guy lost his election to one of our distinguished colleagues from Utah last week. He said the devil was the reason that he did not have his campaign money. Maybe it is the devil that makes them do this.

We have flag burning proposals for constitutional amendment. We have gay marriage proposals for constitutional amendment. Yet when it comes to the basic freedom and liberty of this country, the press, we are presented with a resolution that condemns them. That is all it does. It does not sanction. It condemns them.

It is our opportunity to vent and say little things about The New York Times. Please add The Washington Times. Please add The Wall Street Journal. Please add other media entities that have reported along these lines.

I do not believe in what Fox News says, but I believe, and I do, for their right to say it.

You know better than to seek to amend the first amendment, and let us look at this resolution.

□ 1345

It is factually inaccurate when you say, ''Whereas appropriate Members of Congress, including the members of the Committee on Intelligence of the Senate and House of Representatives.'' I am a member of that committee. You say that they were briefed, and I am here to tell you that every member of that committee was not briefed on this particular program.

But I want you to listen to Ben Franklin. I want all of you to listen to Ben Franklin. He said, ''Those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety.''

Find all of the leakers, prosecute them, put them in jail, but let a free press stand in this Nation.

Mr. SESSIONS. Mr. Speaker, last night at the Rules Committee we had an opportunity to digest a lot of information about this, not only about the program but also about, theoretically, who knew what, where, and when. It is my understanding that every single member of the Intelligence House Committee received an invitation to attend a briefing. That is not an indication that every single member attended that open invitation.

I would allow the chairman of the Intelligence Committee, the gentleman

from Michigan (Mr. HOEKSTRA), 1 minute.

Mr. HOEKSTRA. I thank my colleague for yielding. I have got the list of who was briefed, when they were briefed. The first briefing of the Intelligence Committee goes back to March of 2002, where the chairman and then the former ranking member of the committee were briefed. I have the briefing dates for Members, of when members of the committee were briefed. I have the dates for when the staff was briefed on the HPSCI Committee.

Staff was briefed as early as March of 2002. Staff was briefed in 2003, 2005, 2005, 2006, 2006, and 2006.

ALCEE, these records indicate that you also had the opportunity and you were at a briefing session on this program.

Mr. HASTINGS of Florida. Mr. Speaker, will the gentleman yield?

Mr. HOEKSTRA. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Is the gentleman referring to the financial services program, as offered?

Mr. HOEKSTRA. On the financial services program, that is correct.

Mr. HASTINGS of Florida. I would like to see that exact date, and I am here to tell you that we didn't receive such a briefing. And if you can tell me that this resolution holds that every member was briefed, I am here to tell you that that is not true.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 4½ minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, my colleague, the chairman of the Financial Services Committee, asked us to say where we disagree with this resolution. I would be glad to tell you that.

This resolution makes factual assertions that I do not believe any Member of the House can confidently and honestly make, and certainly not more than four or five could even pretend.

It says, for example, in the resolved clause that we know, those of us who would be voting for this, as a fact ''that the program has been conducted in accordance with all applicable laws, regulations, and executive orders; that appropriate safeguards have been used and been instituted to protect individuals' civil liberties.''

I don't believe any Member knows that. Maybe one or two will claim that. Do Members feel free to vote for things and say they know things which they don't?

It is also true in the whereases: ''Whereas the terrorist finance program consists of the appropriate and limited use of transaction information while maintaining respect for individual privacy.''

That may or may not be the case, but Members here don't know it. And let me talk about briefings, by the way. I am the senior Democrat on Financial Services, and I have been for 3½ years. I was, about a month ago, asked to a briefing. I was asked to a briefing and told that this was about to be made public and, therefore, they were going to brief me. But that if I listened to the briefing, when it was made public I couldn't talk about it.

Yes, I did not accept that briefing. It was a briefing only because it was about to be made public, and then I could not talk about it. But even if I had had the briefing, I do not believe I could in good conscience say these things.

Now, there are Members here who may have such faith in their administration that they will claim to say things which I know they don't know. Yes, faith-based programs are very useful, but I don't think faith-based resolutions do our job.

So I don't know that these things are wrong, but I disagree with making factual assertions about the program that may not be correct.

There is another factual assertion that may not be correct. And I know there has been a lot of concern about the Times. In the Republican majority's resolution there is an attack on the Times. It doesn't mention them. Quite sensitively, it doesn't mention the Times, but it talks about one of the most damaging allegations I have seen about a leak.

It says, on the bottom of page 2: ''In 1998, disclosure of classified information regarding efforts to monitor the communication of Osama bin Laden eliminated a valuable source of intelligence information on al Qaeda's activities.'' Now, that is a serious accusation to make against the Times. It is, of course, the Washington Times. Somehow, that adjective sort of disappeared.

There has been a lot of talk about the New York Times. It is the Washington Times who is referred to in your own resolution, Mr. Speaker, as having done a far more damaging specific thing. But the Washington Post came to the defense of the Washington Times and said, no, that was already known. Well, that is in controversy.

I am not prepared to vote for the resolution which accuses and convicts the Washington Times of having foiled our efforts to find Osama bin Laden when I don't know that as a fact. The Washington Post says it is unfair to the Washington Times.

You may be prepared, Mr. Speaker, to condemn the Washington Times so clearly for undermining our efforts to find Osama bin Laden. I am not.

But we are only here partly about the specifics. This is an outrage, the procedure. I do not understand how Members can hold up their heads when they advocate this.

Well over half of the Democratic Members saw this resolution for the first time at 4:15. There was no consultation about the draft. It was drafted entirely in a partisan way. We looked at it and said, we agree with some of it and not others. Yes, I think almost all Democrats agree that we should track the financial doings.

We have a resolution which takes much of the language from the Republican resolution and says that. It says we are in favor of tracking things, and we condemn leaks. We think it is wrong for people to leak. So we would like to have that in there. But we don't want to have to say, at the same time, that the Bush administration has done everything perfectly. We don't want to make some of the criticisms of the media that you make, including this denunciation of the Washington Times.

We are asking for a chance, in a democracy, to put forward our resolution where we could make clear that we disagree with some of the leaking; where we make clear that we think you should track the financial records of the terrorists; but we do not want to have to say that we also agree with the administration. That would seem to me a reasonable choice.

Mr. Speaker, to the discredit of the Republican Party, you have denied us that choice. This is not democracy, this is plebiscitary democracy. You demand a ''yes'' or ''no.'' Mubarak and Peron and Hugo Chavez would be proud of your understanding of the democratic process.

Mr. SESSIONS. Mr. Speaker, you know, we do talk about disclosure, unauthorized disclosure of information. But I fail to see where this resolution talks about any newspaper where we mention them. We intentionally chose not to do that because that is not what the resolution is about today, Mr. Speaker.

Time after time we have heard our Democrat colleagues mention newspapers by name. That is not what this was about. We are simply trying to say that we believe that information that is considered private, sensitive, and that should not be disclosed should not be done.

It would be very simple for us to understand that the President may say, you know, we have spies that work for the United States, but if he disclosed who they were, what they did, how they went about doing their business, where they were located, who they came into contact with and their MO about how they did things, that clearly would be something that would be out of order.

So I will tell you, Mr. Speaker, we intentionally have not tried to chastise anyone. We are simply saying we believe the unauthorized disclosure should not be revealed.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Speaker, once again, the Nation finds itself engaged in a world war against abject evil. And in the process, it is always wise to look back to the last world war against abject evil, one which was led by the greatest Democratic President, one of the greatest Presidents ever, Franklin Delano Roosevelt.

We must learn not only from the past how to win this struggle but we must look to the past to see that we do not repeat some of the mistakes that were made by the government at the time, most notably the internment of our fellow citizens of Japanese descent in internment camps.

In that process, I do believe that the press has an invaluable role. It has an invaluable role as a watchdog of democracy and liberty, and it has an expressed constitutional right to do so. What this resolution I believe would help to do, however, is to rectify the current mistake that is being made in a time of war, whereas classified information is being broadcast on the basis of potential abuse rather than actual abuse.

I think that we must further that debate and come back to the realization that potential abuse is a very nebulous standard and which, fortunately, was not applied in World War II to classified information, or there would have been no Manhattan Project.

Further, I think it is also wise to look back at the relationship between the government and the press at the time of World War II. President Roosevelt was fond of bringing reporters into his office, and he would engage in off-the-record conversations with them so that they were aware that he trusted them and that then he could reciprocate that trust to the reporters.

At one point, some of the off-the-record briefing appeared in a column in a paper. At the next meeting of the assembled press in the Oval Office, Franklin Roosevelt gave that reporter a gift. It was an iron cross.

Mr. Speaker, I urge that we support this rule, this resolution, and that we all continue to encourage the debate where the differentiation between potential abuse and actual abuse and the Nation's interest in the defense of our citizens' lives is ever remembered.

Ms. SLAUGHTER. Mr. Speaker, I yield for a unanimous consent request to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I wish to state for the record my objection to the Republicans' refusal to be indignant about the outing of a spy by the administration.

Ms. SLAUGHTER. I yield for a unanimous consent request to the gentleman from California (Mr. GEORGE MILLER).

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

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in opposition to the rule and this measure.

Mr. Speaker, today the House will vote on a resolution that is allegedly intended to reaffirm Congress's support for stemming the flow of money to terrorists. I support efforts by this Administration to cut the financial supply lines to terrorists.

But the resolution before us today is really just an open-faced attack on America's free press for telling the American people what its government is doing.

After 9/11, the Bush Administration announced that one of the ways it would go after terrorists was by cutting off their funding sources. A major part of this effort has been monitoring suspect international financial transactions.

I believe that, at the time, this was the correct decision. We can and must do everything we legally can to protect the country from those who wish to bring us harm.

The Administration's efforts to monitor financial transactions have been a frequent topic of public discussion: By members of the Administration; in open, on the record Congressional testimony; and in the United Nations.

However, to date, I am not aware of any harsh recriminations from the President or Republicans in Congress as a result of any of these discussions over the last few years.

But now that the program has been discussed in the New York Times and other newspapers, the radical right wing Republican enemies of a free press in America have come out swinging—again.

Congress had a choice when the NY Times reported on the SWIFT program. It could have announced hearings on the effectiveness of the SWIFT program and on the impact of public reporting on the SWIFT program. But it did not do that.

This extremist Congress instead has chosen a different, but very familiar, path—a partisan political attack for which it has become famous.

The Bush Administration and this republican-controlled Congress represent the most partisan and most anti-free press Republican party this nation has seen since the days of Richard Nixon and his infamous 'enemies list.'

The fact remains that this president and this Republican Congress wants to manipulate the press to its advantage through the use of covert propaganda and through lying about intelligence and other matters, but it wants to curb the press's role in communicating to the American people information about the actions of its government.

That sounds more like the Soviet Union before the wall came down than the America that I know and love and whose freedom, and free press, is so revered around the world.

The fact is that the party in control of this Congress is out of gas when it comes to leading, they are out of gas when it comes to big bold new ideas to re-energize America.

They have resorted, nearly every day now, to their tired old whipping posts, including the free press, in a desperate effort to hold on to their power, an awesome power that they have failed to use to help America.

As this bill's sponsor, Mr. OXLEY, so wisely stated earlier, we do need accountability in Government.

The President promised to hold those accountable in his Administration involved in leaking the identity of a covert CIA agent to the press. He has yet to do that. Instead he and his rubberstamp Congress choose to go after leaked information only when it suits their political agenda.

We have yet to hold anyone accountable for the falsified intelligence about Weapons of Mass Destruction. Instead we get the rubberstamp Congress's version of a weapon of Mass Distraction just in time for the November elections.

This Congress has not held anyone accountable for pulling military resources away from Afghanistan to prepare for the unjustified war and occupation of Iraq, which allowed Osama bin Laden to escape capture.

If only the Administration and its Republican allies in Congress were as aggressive in attacking Osama bin Laden as they are when attacking the press, we might be safer as a nation.

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

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 2 minutes to the gentleman from Florida (Mr. FEENEY).

Mr. FEENEY. I thank my friend from Texas, and I do want to make a few points here today.

One thing you have to give my Democratic friends credit for is their consistency on the war on terror. They have been consistently mad. They were mad we didn't do more surveillance-wise before 9/11 to stop that attack; and they have been mad that we have done too much surveillance since 9/11, which has helped successfully stop another attack, including attacks in Toronto and New York most recently.

But I rise here today to talk about the resolution itself. What this resolution does basically is to tell you, if you operate a flight school and you have reason to believe that the people learning to fly planes want to fly planes into American buildings to kill Americans, you shouldn't warn your students that they may be under surveillance. You should tell the FBI.

This resolution sends a message to all the people that operate hotels that if you are having people stay with you, paying you rent, and you have reason to believe they are putting together an attack on American civilians, you shouldn't warn them that they may be under surveillance. You should tell the FBI.

If you are a chemistry professor and you have reason to believe that a student is putting together weapons of mass destruction, like biological or chemical weapons, you shouldn't warn your student that they may be subject to surveillance. You should tell the FBI.

If you are an American banker and you have reason to believe that your client is depositing money to fund terrorist activities, you shouldn't warn your client that the American Government may be watching you. You should tell the FBI.

And, yes, it does tell American newspapers that if you are loyal, you should not deliberately give sensitive and secret information to the entire world of people that want to do us harm.

Finally, it says to every employee of the United States Government that if you deliberately leak sensitive information that you have access to that you may have committed treason and you may be a traitor.

Ms. SLAUGHTER. Mr. Speaker, I continue to reserve.

Mr. SESSIONS. Mr. Speaker, at this time I would like to yield 2 minutes to the gentleman from the great State of Georgia (Mr. GINGREY).

□ 1400

Mr. GINGREY. Mr. Speaker, I think it would be instructive for all of our colleagues to let me read briefly the synopsis of this resolution: Supporting intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate Congressional consultation, as we heard from Chairman HOEKSTRA a minute ago, and specifically condemning the disclosure and publication of classified information that impairs the international fight against terrorism and needlessly exposes Americans to the threat of further terror attacks by revealing a crucial method by which terrorists are traced through their finances.

Mr. Speaker, we heard a little while ago from the gentleman, the very intelligent gentleman from Massachusetts, that resolved number 2 he had some concerns about. Resolved number 2 basically says, finds that the Terrorist Finance Tracking Program has been conducted in accordance with all applicable law, regulations and executive orders, that appropriate safeguards and reviews have been instituted to protect individuals' civil liberties.

He is concerned about that. I grant him that concern. I am not concerned about it. I am sure if he votes against this rule or against the resolution, he can explain this to the people of Massachusetts.

Mr. Speaker, I can explain also my support to the people in the 11th District of Georgia because, mainly, of resolved number 4, and this is it. It expects the cooperation of all news media organizations in protecting the lives of Americans and the capability of the government to identify, disrupt and capture terrorists by not disclosing classified intelligence programs leaked to them, such as the Terrorist Finance Tracking Program.

I don't care who it is, Mr. Chairman, of what political party or who they work for. If they are leaking information and putting our men and women who are doing the fighting and dying for us, putting their lives in danger, then we need to out them and prosecute them. The media, and we are not naming names with regard to whether it is The Washington Post or New York Times, needs to show some responsibility.

Support the rule and the underlying resolution.

Ms. SLAUGHTER. Mr. Speaker, may I inquire if my colleague has more requests for time?

Mr. SESSIONS. Mr. Speaker, we are through with all of our speakers that we might have. We will then wait for the gentlewoman from New York to close, and then we will do so.

Ms. SLAUGHTER. Mr. Speaker, I will be asking Members to vote ''no'' on the previous question so that I can amend the rule to allow the House to consider a resolution introduced by Financial Services Ranking Member Barney Frank instead of the press-bashing resolution made in order under this rule.

I ask unanimous consent to print the text of the amendment and a description immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, the Frank substitute resolution expresses Congress' support for intelligence and law enforcement programs that track terrorists and terrorist finances and are conducted consistent with Federal law and with appropriate Congressional consultation.

Vote ''no'' on the previous question so we can consider this resolution instead of H. Res. 896. Again, vote ''no'' on the previous question.

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

Mr. SESSIONS. Mr. Speaker, at this time, I yield all time remaining to the Chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, the day after President Bush gave his stirring address right here to a joint session of Congress on September 20, 2001, The New York Times editorialized, and I quote, what promises to be a long and painful fight against a ruthless enemy.

Mr. Speaker, this was true then, and it remains true today. So it goes without saying that any information and any intelligence exposed to the enemy directly hinders our prosecution of the war and directly threatens the safety of Americans. By relying on illegal leaks of classified information to publish the details of our government's program to track terrorist financing, some of our country's biggest newspapers, led by The New York Times, have imposed their interpretation of the, quote-unquote, public interest on a public whom I am confident to say would much rather be safe than be all-knowing.

Let us be clear, those very newspapers that spilled barrels of ink about the government not connecting the dots before September 11, 2001, are now making it much harder to collect, much less connect, the dots today.

Mr. Speaker, by all accounts, this was a legal, effective and narrow program that nabbed high-value terrorists. There were no reported abuses by the program, and there was no compelling reason to publish it, which is cause for serious concern. If officials leak information on programs such as this and newspapers print it, what won't be leaked and what won't be printed?

The case was made to newspapers by Democrats, Republicans, and people inside and outside of the administration that publication of this story would expose a critical program.

Our former colleague, Lee Hamilton, and his cochairman of the 9/11 Commission, Tom Kean, were very clear. They were among those people who made the case. Mr. Kean said in an interview with Byron York, there are a number of programs which we are using to try to disrupt terrorist activities, and you never know which one is going to be successful. We knew that this one already had been.

Mr. Speaker, it is absolutely critical that we send this very strong message that this behavior cannot continue.

The material previously referred to by Ms. SLAUGHTER is as follows:

Previous Question for H. Res. 896, Rule for H. Res. 895: Supporting intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate Congressional consultation and specifically condemning the disclosure and publication of classified information that impairs the international fight against terrorism and needlessly exposes Americans to the threat of further terror attacks by revealing a crucial method by which terrorists are traced through their finance.

Strike all after the resolved clause and insert in lieu thereof the following:

*Resolved,* That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 900) supporting intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate congressional consultation. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit which may not be instructions.

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THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused,

the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule * * * When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. SESSIONS. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

## PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. SESSIONS. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 440) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 440

*Resolved by the House of Representatives (the Senate concurring)*, That when the House adjourns on the legislative day of Thursday, June 29, 2006, or Friday, June 30, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, July 10, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, June 29, 2006, Friday, June 30, 2006, or Saturday, July 1, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, July 10, 2006, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. The question is on the concurrent resolution.

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

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on H. Res. 896, by the yeas and nays; adoption of H. Res. 896, if ordered; ordering the previous question on H. Res. 897, by the yeas and nays; adoption of H. Res. 897, if ordered; adoption of H. Con. Res. 440, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

## PROVIDING FOR CONSIDERATION OF H. RES. 895, SUPPORTING INTELLIGENCE AND LAW ENFORCEMENT PROGRAMS TO TRACK TERRORISTS AND TERRORIST FINANCES

The SPEAKER pro tempore. The pending business is the vote on ordering the previous question on House Resolution 896, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 222, nays 193, not voting 18, as follows:

[Roll No. 350]

YEAS—222

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

NAYS—193

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel

Eshoo
Etheridge
Farr
Fattah
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—18

Bishop (UT)
Buyer
Cannon
Cardin
Carson
Culberson
Evans
Filner
Fitzpatrick (PA)
Ford
Gerlach
Hayes
Holden
Johnson, Sam
Kanjorski
Marshall
McHenry
Sherwood

□ 1431

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

Mr. MCHUGH and Mr. HASTERT changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 195, not voting 17, as follows:

[Roll No. 351]

AYES—220

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

NOES—195

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

NOT VOTING—17

Bishop (UT)
Buyer
Cannon
Cardin
Evans
Filner
Fitzpatrick (PA)
Ford
Gerlach
Hayes
Holden
Johnson, Sam
Kanjorski
Marshall
McCrery
McHenry
Sherwood

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1438

Mr. ABERCROMBIE changed his vote from ''aye'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. FILNER. Mr. Speaker, on rollcall Nos. 350 and 351, I was involved with official activities of the Veterans Affairs Committee. Had I been present, I would have voted "no" on both votes.

## PROVIDING FOR CONSIDERATION OF H.R. 4761, DEEP OCEAN ENERGY RESOURCES ACT OF 2006

The SPEAKER pro tempore. The pending business is the vote on ordering the previous question on House Resolution 897, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 224, nays 193, not voting 15, as follows:

[Roll No. 352]

YEAS—224

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

NAYS—193

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

NOT VOTING—15

Bishop (UT)
Cannon
Cardin
Evans
Fitzpatrick (PA)
Ford
Gerlach
Hayes
Holden
Johnson, Sam
Kanjorski
Kirk
Marshall
McHenry
Sherwood

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1445

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. KIRK. Mr. Speaker, on rollcall No. 352 I was unavoidably detained. Had I been present, I would have voted "yea."

PARLIAMENTARY INQUIRY

Mr. GEORGE MILLER of California. Mr. Speaker, parliamentary inquiry. Am I correct in my understanding that if the motion to adjourn carries that there will be no opportunity to address the minimum-wage issue before the Congress goes home for the July 4 break, and these men are raising their voices because they don't want to deal with the minimum wage? Is that what's going on here today?

Could you answer my parliamentary inquiry, Mr. Speaker? We need to understand what's going on here.

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

The SPEAKER pro tempore. The pending business is the vote on adoption of House Concurrent Resolution 440, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the concurrent resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 220, nays 197, not voting 15, as follows:

[Roll No. 353]

YEAS—220

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

NAYS—197

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

NOT VOTING—15

Bishop (UT)
Cannon
Cardin
Evans
Fitzpatrick (PA)
Ford
Gerlach
Hayes
Holden
Johnson, Sam
Kanjorski
Lewis (KY)
Marshall
McHenry
Sherwood

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1454

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. HAYES. Mr. Speaker, I was unable to participate in the following votes. If I had been present, I would have voted as follows:

JULY 29, 2006

Rollcall vote 353, I would have voted "yea."
Rollcall vote 352, I would have voted "yea."
Rollcall vote 351, I would have voted "yea."
Rollcall vote 350, I would have voted "yea."
Rollcall vote 349, I would have voted "yea."
Rollcall vote 348, I would have voted "nay."
Rollcall vote 347, I would have voted "yea."

## PERSONAL EXPLANATION

Mr. CARDIN. Mr. Speaker, earlier today, I was unavoidably detained and missed four rollcall votes.

Had I been present, I would have voted ''nay'' on rollcall vote No. 350, ''nay'' on rollcall vote No. 351, ''nay'' on rollcall vote No. 352, and ''nay'' on rollcall vote No. 353.

The SPEAKER pro tempore (Mr. SIMMONS). Pursuant to House Resolution 897, the resolutions listed in section 2 thereof are laid on the table.

## AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5672, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

Mr. WOLF. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 5672, the Clerk be authorized to make technical corrections and conforming changes to the bill.

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

There was no objection.

## COMMUNICATION FROM DISTRICT DIRECTOR OF HON. ROBERT NEY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Matthew Parker, District Director of the Honorable ROBERT NEY, Member of Congress:

JUNE 28, 2006.

Hon. DENNIS HASTERT,
*Speaker,*
*House of Representatives, Washington, DC.*

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

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

Sincerely,

MATTHEW PARKER,
*District Director.*

## GENERAL LEAVE

Mr. POMBO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 4761.

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

There was no objection.

## DEEP OCEAN ENERGY RESOURCES ACT OF 2006

The SPEAKER pro tempore. Pursuant to House Resolution 897 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4761.

□ 1458

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4761) to provide for exploration, development, and production activities for mineral resources on the outer Continental Shelf, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

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

The gentleman from California (Mr. POMBO) and the gentleman from West Virginia (Mr. RAHALL) each will control 30 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Chairman, we have before us today an extremely important bill. Earlier in the day we had quite a bit of debate on the rule. Unfortunately, much of that debate had very little to do with this bill. Much of that debate had more to do with other issues that Congress has failed to address over the last several years; but we do have the opportunity today to move forward in terms of a national energy policy and taking a step in the right direction.

I look forward to a very active debate, a very insightful debate; and I hope that my colleagues can actually debate the bill that is in front of us today because that is what we are debating. I hope that we have the opportunity to have a full hearing on what is important to this country.

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

□ 1500

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

Mr. Chairman, I rise in opposition to the pending legislation on the basis that I am unwilling to vote against America's energy independence. This bill would continue to mortgage our Nation's future to a handful of multinational oil conglomerates. It demands a continued addiction to a petroleum diet. It would only further enslave us as a Nation, as a society, to the oily ways of the past, which do not bode well for our energy future.

It is telling that the so-called ''energy week'' proclaimed by the Republican majority consists only of this single piece of legislation that would only further shackle the Nation to the

whims and caprices of the petroleum industry. It is telling that this is their idea, as it has been all along, of what energy independence means.

As Paul Revere did on that famous midnight ride, those of us opposed to this ill-conceived bill are raising an alarm. The drumbeat that we hear pounds out a call of freedom. Freedom to be done with those who profit and plunder at the gas pumps throughout this country, freedom from the price gougers, freedom from the merchants of profit and power over our American values, and the freedom to devise new and alternative fuels to our petroleum dependency. It is time to stand up and be counted, to hoist up the flag and salute it, to strike a resounding chord that will reverberate across this great land of ours.

I say to my colleagues that truly today is Independence Day here in the House of Representatives, for we are being given an opportunity to vote against this outrageous bill and vote against it on the following grounds:

First, it would improperly and perhaps unconstitutionally delegate to the coastal States virtually all decision-making powers over the disposition of a Federal resource. It says to all of the other owners of our offshore water and energy resources, whether they reside in Ohio, Idaho, Arizona or my great State of West Virginia, so it should say to the owners of our offshore waters and energy resources, all of the American taxpayers, no matter what State that they reside in, that they have no say in this matter. No say whatsoever, that we are going to vest all of the power with a few, to the detriment of the many.

Second, it would grab the second largest source of income to the Federal Government after personal income taxes, yank this revenue out of the Treasury and redistribute it to those few. Let's be clear. This bill would reallocate existing revenue from OCS oil and gas leases to willing coastal States, not just future, potential revenue streams, but also those currently being dedicated to the benefit of the Nation as a whole.

It would rob the majority of the American people and bankrupt the Land and Water Conservation Fund so cherished by communities and localities across this great land. According to the administration, this is their figures, the revenue-sharing provisions of bill alone would constitute a $74 billion hit over the first 15 years. Envision this massive rate on America's resources and what it will mean to the average American.

Third reason for opposing this bill, it would deprive most of us of jobs and economic benefits in most of the regions of our country. Those of you from the Midwest, from the corn belt, you can forget about ethanol. This bill demands petroleum. Vote for it, and you vote against your interests. You vote against the jobs in your region and against economic benefits that the production of ethanol brings to your region.

Those of you from the coalfields, like myself, where we have sought for many years to broaden our employment base and to reduce our Nation's petroleum fixation with liquid fuels made from coal, vote for this and you are voting against the future of your coal miners.

As in the past, these so-called energy bills that come before this Republican-controlled Congress are nothing but a vote for further, as the President wants to wean us away from, it is nothing but a vote for a further addiction to oil.

With the Nation hard and fast on a petroleum diet for decades to come brought forth by this pending legislation, the widespread commercialization of coal-to-liquids technology to fuel our vehicles will continue to be an elusive goal and merely lip service only.

I have never forsaken the coal miners in my congressional district, and I am not about to do so now.

Fourth, Mr. Chairman, this bill simply is not necessary. Under the Bush administration alone, the Department of Interior has offered leases covering 267 million acres of the OCS. Industry has only sought to acquire 24 million of those acres.

Now, contemplate that for a moment. There are still 243 million acres available, currently available for leasing that the oil and gas industry has not yet seen fit to bid upon. In all, in total, over 40 million acres of the OCS are under lease and less than 7 million of those acres are in production.

Is there a crisis in the OCS? Is there evidence that legislation such as that before us today, which shreds long-standing moratoria is needed? The facts tell us not.

Those who bring forth this legislation represent an era that should now be in our past, seeking to place all of our eggs in a black basket woven of petroleum. They would defend the predominance of Big Oil, those with wealth and power over our energy destiny.

Those of us opposed to this legislation bring with us the conviction that there are limits to what the American people will suffer for the sake of profit and power. This is indeed a turning point for America.

Mr. Chairman, I urge the defeat of the pending legislation.

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

Mr. POMBO. Mr. Chairman I yield 2 minutes to the majority whip, Mr. BLUNT.

Mr. BLUNT. Mr. Chairman, I thank the chairman and Mr. ABERCROMBIE for their work on this bill, which will produce a bipartisan vote today.

I join my friend, Mr. RAHALL, in his interest and support in the continued expansion of the use of coal and ethanol. I just do not think this bill prevents that from happening. This bill allows us, during a transitional generation, to help meet the needs of that transition.

This bill allows us to look at domestic resources, at resources close to our shore that replace those things we are now importing. The U.S. Minerals Management Service estimates that in these deep sea areas there are 420 trillion cubic feet of natural gas, almost 20 times the annual U.S. consumption of natural gas, 86 billion barrels of oil. Twenty years of imported oil would be 86 billion barrels of oil, or almost 20 years of imported oil.

This bill is balanced, a common-sense approach that gives the coastal States unprecedented power to prevent production within 100 miles of their coastline, while enabling the United States to produce energy in the deep waters beyond.

This bill is at no cost to the Federal Government. The scoring in the bill that the sponsors have worked on comes back at no cost in 1 year, no cost in 2 years, no cost in 10 years. In fact, the Federal Government brings in additional revenues under this formula, even though it is beginning to share new revenues with the States.

The U.S. is facing high energy prices. The U.S. is in a crisis of too much imported oil and natural gas. Too many jobs and gross sales have gone to other countries as the natural gas prices have made us less competitive in fertilizer and other industries than we used to be.

This is a great piece of legislation. It is a great effort to bring so many elements together. I want to again thank the chairman for his leadership on this legislation and others, along with Mr. ABERCROMBIE, who have worked so hard to bring it to floor today.

Mr. RAHALL. Mr. Chairman, I yield 3¼ minutes to the gentlewoman from California (Mrs. CAPPS), a true leader in this area who has devoted a great deal of time on this issue and has a true concern for our environment and what this issues means for us.

Mrs. CAPPS. Mr. Chairman, I thank my colleague for yielding me time.

Mr. Chairman, I rise in such strong opposition to this budget-busting bill that threatens our coastal communities. This bill is unnecessary, misleading and fiscally irresponsible.

The oil and gas companies, awash in profits from high energy prices, would have you believe these three things: That the offshore oil resources are off limits today. Second, that this bill will give States control over the drilling off their coasts. Third, that this bill is fiscally responsible.

All of it is hogwash.

First, here is a little secret supporters of the bill do not want you to know. The industry already has access to the vast majority of oil and gas on the OCS. According to the Bush administration, some 80 percent of the known reserves are located in areas where drilling is already allowed.

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

open the entire U.S. coast to drilling when the industry will not even drill where it already can?

Second, this bill turns Federal efforts for coastal protection and public lands protection on its head. The Federal Government sets the rules on drilling and other activities in Federal waters. The impact on the environment and the fishing and transportation industries are just too broad to be determined by a single State.

But this bill turns these important decisions over to the States. It would be like letting California decide what should go on in Yosemite, or letting Pennsylvania set the rules for air quality on the east coast.

And as for the claim that the bill gives a State control of oil drilling off its coast, that is full of holes, too. The bill ends the current moratorium on new drilling immediately. In order to continue even parts of the current ban, a State has to clear numerous hurdles. It has to petition the Feds through separate legislative votes and actions by its governor. The petitioning has to be repeated every 5 years.

The Federal Government can simply ignore a State's request for continuation of the ban anyway, and that is hardly giving a State control over its coastal protection.

Finally, this bill creates a new permanent entitlement that will add billions to the Federal deficit.

The Bush administration says the bill would cost $74 billion over the next 15 years and a whopping $600 billion over the next 60 years. For my fiscally conservative friends who spent hours trying to strike $100,000 dollars from appropriations bills, let me repeat that. This bill will add $74 billion to the deficit over the next 15 years and $600 billion over the next 60 years.

And for my fiscally conservative Blue Dog friends, this budget-busting bill will add even more zeroes to those great deficit signs outside your offices.

I know that Chairman POMBO has spent the last couple of days trying to bring that cost down. But who really knows what the effect of his proposed changes are, given the little time anyone actually has had to digest his manager's amendment?

Mr. Chairman, if Members really want to put brakes on reckless budgeting, here is the chance to lower the deficit by dollars and not pennies.

This bill is a bad deal for America. It will unnecessarily put at risk protections for our coastlines that have been in place for 25 years. It will lead to even more control of our offshore waters by the oil and gas industry. It will lead to even larger Federal budget deficits. Vote no on this budget buster.

Mr. POMBO. Mr. Chairman, I yield for a unanimous consent request to Mr. DUNCAN.

Mr. DUNCAN. Mr. Chairman, I want to thank and commend Chairman POMBO for this bill.

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

Mr. Chairman, I rise in support of the Deep Ocean Energy Resources Act. Simply put, the DOER Act is a matter of both out national security and our economic security. Over the last couple of years gasoline and natural gas prices have skyrocketed.

More and more people are finding it harder to pay for the gas to fill up their tanks just so they can get to work to provide for their families. Lower income citizens are having trouble paying their utility bills.

We have been blessed with relatively low inflation rates that date back to the Reagan Administration. However, now in recent months, the Federal Reserve is constantly rising interest rates due to inflation, largely caused by rising energy costs.

When businesses have to raise their prices to pay for their energy bills, those increased costs get passed on to consumers. that is just simple economics.

At one of our hearings in the Resources Committee we were told that the United States is the only country in the world that forbids safe energy production on its Outer Continental shelf. If environmentalists will not let us drill offshore or in areas within the Country, from where are we supposed to get our energy? this makes us more vulnerable to foreign energy producers.

It also drives up prices and hurts poor and lower income and working people most of all.

We are forced to seek supplies overseas in politically unstable areas of the world such as the Middle East, Nigeria and Venezuela. Now we are told that the President of Venezuela wants to work with Castro's Cuba and the Chinese and drill for energy in Cuban waters that are close to Florida, so Cuba can drill close to Florida, but we can't.

America has proven oil and gas reserves that we have locked up. We can no longer afford that luxury. the DOER Act would allow us to increase the supply of domestic oil and gas and improve the prospects for a more affordable energy future.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. JINDAL), one of the chief authors of the bill.

Mr. JINDAL. Mr. Chairman, I want to thank Mr. POMBO for his very good work on this bill. I would encourage support and a yes vote on this bill for several reasons.

If you are worried about rising energy prices, I would recommend a yes vote on this bill. Thirty percent of the Nation's energy comes off the gulf coast.

If you are interested in treating the gulf coast States equally, the way that we treat on-shore drilling on Federal lands for inland States, I would recommend a yes vote on this bill.

If you are interested in our environment, if you are interested in restoring America's wetlands, I would encourage a yes vote on this bill.

Louisiana loses 30 miles a year off our coast. We lost 100 miles last year off our coast thanks to Hurricanes Katrina and Rita. We have lost a size of land equivalent to the entire state of Rhode Island. The State of Louisiana is poised to pass a constitutional amendment dedicating 100 percent of the royalties we will receive under this bill for coastal restoration, hurricane and flood protection, restoring our coastal infrastructure.

If you are worried about the hundreds of thousands of jobs we are losing in this country, if you worried about the 100,000 jobs we have lost in the wood and paper industry in the last 6 years, the 100,000 jobs we have lost in the petrochemical industry in the last 6 years, I would encourage a yes vote on this bill.

In Louisiana alone, we have lost 5,000 jobs, 5,000 jobs in the last couple of years, jobs that averaged $50,000 a year, jobs in our fertilizer industry, jobs in our wood and paper industry, in part because natural gas prices are half, in Russia are half or less overseas compared to what we are paying right here in the United States. If you are worried about keeping those jobs, I would encourage a yes vote on this bill.

If you are worried about the hurricane damage that occurred in Louisiana, one of the reasons the entire Louisiana delegation, our Democrats and Republicans, our Democratic governor, are strongly encouraging a yes vote for this bill is this is our best chance to get the recurring revenue sources we need for category 5 levees. This is the best chance we have for recurring revenue sources to restore our coasts. Every 2.4 miles of wetlands absorbs 1 foot of tidal surge. I am going to repeat that. Every 2.4 miles of wetlands absorbs 1 foot of tidal surge.

We were all shocked, outraged and hopefully sympathetic with the people of Louisiana after last year's hurricanes. The best way to help those people is with a yes vote on this bill.

□ 1515

Mr. RAHALL. Mr. Chairman, I yield for the purposes of a unanimous consent request to the gentleman from Texas (Mr. GENE GREEN).

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in support of the bill and oppose the amendments.

Mr. Chairman, the price of natural gas is unsustainable for the American manufacturing base and for American families' home heating. We are already in a crisis with natural gas around $7 per thousand cubic feet.

Average long-term contract prices for natural gas have tripled and quadrupled over the last 5 years, and spot market prices are even higher.

Normally it would be heresy for a Texan to complain about high natural gas prices. The fact that I do just that is proof of this crisis.

The American chemical industry has already lost almost 1 million high paying jobs due to high natural gas prices. But the worst is yet to come.

We are on the verge of a tragedy as the production in the open areas of the Gulf of Mexico peaks in the next 10 years, and we have nothing to replace it unless we pass this legislation.

Many of the opponents of oil and gas drilling say drilling will have no impact on prices. With oil, they have a point, because it is a global price, but domestic oil does protect us from shortages and price spikes.

However, natural gas is not easily shipped overseas because it must be frozen to negative 200 degrees, so it is not a global price.

The high prices we pay for home heating and manufacturing are a direct result of the fact that our U.S. natural gas is locked up by federal bans.

Unless we open our offshore areas, the U.S. will experience shortages of natural gas over the coming winters.

Natural gas is the most efficient, cleanest form of home heating available and many areas have no alternatives.

We face the very real possibility that one winter, natural gas on the spot market will not be available at any price—factories will close and Americans will risk death during the winter.

If that happens, Congress will be to blame, because the United States is the only developed nation in the world that forbids safe energy production offshore.

Norway, Britain, Canada, and other highly developed countries with strong environmental protection produce offshore without problems.

Because they produce their gas, their industries have a competitive advantage against ours.

Major chemical companies have told me point blank that they are adding jobs in Europe instead of America, even though they have more labor and environmental regulations, because they have cheaper natural gas.

Those are tragic decisions for us, but natural gas is as much as much as ten times more expensive in the United States than it is overseas.

I support energy alternatives, but ethanol, solar power, and wind power cannot substitute for natural gas in home heating or for making plastic.

Electric home heating is much less efficient and natural gas is needed in manufacturing not just as a fuel, but as a feedstock to produce plastics.

Much of the materials we use in our daily lives are plastics, and those materials used to be made in the U.S.

Unless we allow our industries access to domestic natural gas, more jobs will go to Europe, Russia, China and India in search of natural gas.

I urge a ''yes'' vote on the bill, and a ''no'' vote on all amendments to weaken the legislation.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New York (Mr. BOEHLERT).

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

Mr. BOEHLERT. Mr. Chairman, I rise in the strongest possible opposition to this bill.

First, we should not be opening our coasts, all of our coasts, to oil drilling when we have not taken the first step, not the first step, to conserve oil. Drilling today just depletes oil we may need later. Conserving now means saving more oil year after year after year. But the Rules Committee did not make in order my amendment on fuel economy standards, which at least would have allowed us to have a debate on demand and supply at the same time.

But my opposition goes beyond any general concern about oil drilling because this bill does far more than simply lift the long-standing moratoriums on drilling. This bill basically hands over our coastal waters to the oil interests and makes it hard for States or citizens to do anything about it.

And this is no exaggeration. The bill makes it difficult for States to bar drilling. Then, if a State allows drilling, the bill eliminates fundamental parts of the current process that allow States and citizens to review drilling plans to make sure they are environmentally sound and consistent with other possible uses of the waters. Then the bill blocks any use of the waters that could interfere with drilling. And, finally, to add a constitutional insult to all that coastal injury, it enables the Secretary of the Interior to threaten to withhold funding from States if the Secretary thinks Congress is interfering with oil drilling. This bill is breathtaking in its overreaching.

Whether you are for or against offshore drilling, you ought to be against this bill. Once your constituents find out what really is in it, you will have a lot of explaining to do.

Let me add that the manager's amendment does not do anything to alleviate my concerns. We studied it to the best of our ability. It was only available last night at midnight, and we have studied it. The amendment leaves in place all the unprecedented provisions I just mentioned. It leaves in place at least one new mandatory spending program. It even adds a new penalty to coerce States into opening waters to drilling.

The manager's amendment is also rife with financial gimmickry. It actually increases the revenues denied the Federal Treasury over the long haul. It just delays the phase-in of the revenue sharing to States, but it raises the maximum amount States will get with no requirement, absolutely none, to report how the money has been used.

So this is not a very good bill. As a matter of fact, it is my conclusion that it is a bad bill, even with the manager's amendment. It would make John D. Rockefeller blush.

Mr. POMBO. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of this legislation.

I have represented a southern California coastal district for 18 years. There has never been an oil spill caused by an offshore rig, and we have had offshore oil drilling off my district for decades. The one spill we had that polluted our coast came from a tanker.

Those who vote against offshore oil development are basically making us more dependent on tankers, which are dramatically more likely to spill oil upon our shores.

As a scuba diver and one of the two active surfers in Congress, I suggest to those opposing offshore oil development, get real. What you are advocating will make us more dependent on tankers. Thus, we will are more likely to have oil spills. Cloaking your positions in environmental rhetoric does not make it so. You are making us more likely to have oil spills by making us more dependent on tankers.

Support offshore oil development and a strong, independent American energy sector.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE), a valued member of our Resources Committee.

Mr. PALLONE. Mr. Chairman, I rise in strong opposition to this bill.

House Republicans have called this week their so-called ''energy week,'' but the best they can do is offer up the same tired old refrain of drill, drill, drill. Unfortunately for them and for the American people, simply allowing more drilling is going to do virtually nothing for gasoline or natural gas prices and nothing to move us towards a sustainable energy future.

Now, proponents of this misguided legislation will accuse those of us fighting the bill of only saying ''no'' and not having any solution of our own, but that is a false choice. They are saying that we are either for drilling or we are for absolutely nothing.

The truth is that many of my colleagues and I have repeatedly offered solutions to our energy problems, only to have them rebuffed and not brought to the floor for a vote. Many of these solutions would not be germane to today's bill but are critical to solving our energy problems. I am talking about increasing fuel economy standards for our cars, introducing renewable portfolio standards, and strengthening energy efficiency standards for buildings and appliances.

I want to say, Mr. Chairman, I am in my district every week talking about energy efficiency, fuel economy. We just had a school opening, and we talked about how in Highland Park in my district we have a new school building that has geothermal fuels, that has new lighting that has solar power.

Just a week ago, I went to Middlesex County, one of my counties, at the Rutgers Cooperative Extension Station, and we just showcased new solar panels. We talked about all the things that can be done to create more energy efficiency in office buildings and residential buildings.

The State of New Jersey is providing grants that the Federal Government does not have for residential users to basically provide more energy efficiency.

So the fact of the matter is the Democrats and those who oppose this

bill have been out there offering solutions. You just do not let us bring them up.

The choice that we are making today, whether or not to pass this bill, also comes with a serious price tag that we have already talked about. According to the Minerals Management Services' estimates, the revenue sharing in this bill, along with the giveaways to the oil and gas companies, would cost taxpayers $74 billion over 15 years, just increasing the debt. That is what the Republicans do. They increase the debt.

Now, what is worse is allowing drilling in sensitive offshore areas with endangered coastal economies in States like New Jersey.

Speakers on the other side have said that they are worried about jobs. Well, I am worried about jobs in my State. The beach season, the summer season has begun in my district. When we had problems in the late 1980s and our beaches were closed for other reasons, we had billions of dollars, hundreds of thousands of jobs that were lost, and do not tell me that you are not going to have a spill. You say, oh, we are going to drill for natural gas and we are not going to hit oil. That is garbage. You have no way of knowing that.

You also make statements about how a State can opt-out. Well, my State is a small State. How do we opt-out when New York or Virginia have a spill and it comes to our shores? This is going to devastate our coastal environment.

Mr. POMBO. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. BROWN).

(Mr. BROWN of South Carolina asked and was given permission to revise and extend his remarks.)

Mr. BROWN of South Carolina. Mr. Chairman, I rise today to encourage my colleagues to support the Deep Ocean Energy Resources Act of 2006.

I represent over 75 percent of the coastline of South Carolina, which is some of the most beautiful beaches in the world. I have worked closely with Chairman POMBO to ensure that the interests of coastal communities are addressed in this bill.

The revenue share portion of this bill going to coastal communities will help these communities fund important projects such as beach renourishment, infrastructure construction and wetlands conservation.

I thank Chairman POMBO and my fellow Resource Committee colleagues, Congressman BOBBY JINDAL and Congressman JOHN PETERSON, for their hard work in bringing this bill to the floor today.

I believe that this bill is an important part of the solution to fix the energy crisis we are all facing today in America. It is also an important step to stop America's dependency on foreign sources of oil. Becoming more energy self-sufficient is not only an economic issue but also an issue of our national security.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER), the ranking member on the House Committee on Education and the Workforce.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman from West Virginia for yielding.

Mr. Chairman, there are many reasons to oppose this legislation. You can begin with the fiscal reasons. Just last week, we had the Republicans on the floor pleading for line-item veto so the President could help them cut deficit spending and cut spending. The President now says he opposes the spending in this bill, but they are not going to take that into regard this week. They are going to go ahead and spend and going to go ahead and increase the deficit. So, apparently, they just cannot stop themselves from doing that.

But a more important reason is this. It is because of the threat to the coast that this bill presents and the threat to the coast that is not necessary. If the rest of the Nation would just follow California, we banned offshore oil drilling a long time ago, but we also recognized that we had an obligation as a State to meet our energy needs and not be as dependent on others as we were at that time. What you now see is California is the most efficient energy user per capita in the country.

But that is not enough. We are going to go beyond that. The Public Utilities Commission is putting in a conservation program and energy efficiency program that will end up being a positive payback for the consumers. They will save money at the end of the expenditures of about $2 billion.

We will, in fact, increase the use of biofuels dramatically. The governor has asked for 180 million gallons of biofuels I think in 2010, and we are going to meet and exceed that level.

So there are these alternatives that dramatically reduce our dependence on fossil fuels, and this is really where we ought to be going.

This is a continuation of a philosophy that has gotten this Nation into so much trouble, and that is, while we use 25 percent of the world's fossil fuel resources and we hold 3 percent of the reserve, that somehow we can drill ourselves out of that problem. It is a continuation of a policy that was in vogue and popular and maybe even right-headed in 1950 and 1960, but everything we have learned since then tells us that we cannot continue in this direction.

So we tried to believe that we could drill our way out of our problem in Alaska, and now we are going to some of those valuable coastlines and risking that coastline on the idea that, again, we can continue to drill our way out of it.

Because the people of this Nation do not want it, this bill has a perverse set of financial incentives to States and localities to try to make money talk, as opposed to the people of that State, to try to get the political establishments to overwhelm the people who have spoken in the Carolinas and Florida and California and Oregon and Washington and elsewhere in the country against this policy. So now we are just going to see if we can bribe them into changing their mind. This is not about an energy policy. This is about an etiology.

Finally, the other reason to do this is that this legislation drains money from every other State, money that would be available to the Federal Government for deficit reduction or for whatever purpose, and throws it into a couple of States that become the winners of this great offshore oil lottery.

This House ought to reject it on budget grounds, on environmental grounds, on energy grounds and on simply a vision of the future.

Mr. POMBO. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this bill is not about alternative fuels or about the environment or about any of the things we are hearing about here today. It is about the price of natural gas and getting it down in our country. It is about fairness to the coastal States that are now providing so much of the resources for this country that are not getting their fair share of the resources back. It is about inclusion and including folks in this industry who are not yet included and have not had the trading to be included or the education to be included.

Right now, natural gas prices are $12.68 per million btu, $4.85 in China, $1.21 in Iran and 95 cents in Russia. We cannot compete with those prices. This high natural gas price is devastating our industries; and, therefore, we are losing jobs across the country in manufacturing and in the petrochemical industry in my State and around the country.

Eighty-five percent of the Outer Continental Shelf is off limits for natural gas production. That is wrong.

Louisiana is America's energy corridor. Approximately 34 percent of the Nation's natural gas supply and almost 30 percent of the Nation's crude oil comes through our State. We need to have the right kind of support to continue providing this help to our country.

□ 1530

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. I thank my colleague for yielding.

Mr. Chairman, I rise in the strongest opposition possible to this legislation which will erase 25 years of critical environmental protection. Only a month ago, the House rejected an attempt to lift the ban on coastal drilling, and yet today we are being told that the solution to our addiction to oil is more oil; that the oil companies who are reaping record profits need more relief from Federal regulation, and that more of our public lands need to be sacrificed for their bottom lines.

This bill should be entitled Nothing is Sacred Any More. This is an outrage.

The wheels have come off here. This bill not only hurts us in terms of the fiscal condition of the country; it gives the wrong message. It sends a terrible message to people in States that have spoken out over and over and over again. Their voices will be ignored. The vote will be ignored.

The Republican Governor of California is vehemently opposed to this. This is an insult to local governments, to State governments, and to anyone that wants to land on the side of the future for our country and not the past.

Mr. POMBO. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Thank you very much, Mr. Chairman. I rise to support H.R. 4761. I would also like to thank Chairman POMBO and Ranking Member RAHALL for their efforts on this legislation.

This bill is an important step toward achieving the goal of further developing our domestic energy resources. We have for too long put vast oil and natural gas reserves off limits to exploration and production, as The Washington Post editorial stated this week.

Our domestic reserves are not limitless, and this is a first step. But we must take other steps, such as increasing conservation, developing an ethanol industry, and increasing CAFE standards if we are to make our country safer by cutting our reliance on foreign oil.

Despite the previous efforts of Congresses, our addiction to foreign oil, as the President stated, is greater today than ever before. That dependency is a threat to our national security, and we must address that threat.

I would also like to take this opportunity to commend the efforts of the author and my friend, Representative CHARLIE MELANCON, on this legislation. It is clear that Congressmen JINDAL and MELANCON are putting the interests of their constituents and the American public first as opposed to the interests of partisan politics.

Please vote for H.R. 4761. I think it is a step in the right direction.

Mr. RAHALL. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Florida (Mr. DAVIS), who year after year after year has been a true leader on this issue and on its environmental effects.

Mr. DAVIS of Florida. Mr. Chairman, today we are debating an issue that is not just important to the country but it is deeply important to my home State of Florida: offshore oil drilling.

For the last decade, and I hope and expect for decades to come, the Florida delegation has stood together to protect Florida on this critical issue. Why? Because our beaches, our coastline is critical to who we are as Floridians. It is what brings us to Florida. It is what keeps us in Florida. It is what brings many of your constituents to Florida, particularly this time of year. And we do not want to sacrifice our beaches, our coastline, our environment for oil and gas drilling that threatens our environment.

Many of the Members of Congress here today from the States that generate revenue from oil and gas have said this is a debate about jobs. It is a debate about jobs. Eighty-eight million tourists visited our State last year. The threat of spilling off the coast of Florida could be a disaster to our reputation.

Last year, during a tropical storm, not even a hurricane, a tropical storm off the coast of Louisiana, there was a spill. A spill such as that off the coast of Florida would be a disaster to our environment, to our economy. And what is at stake here? Just a few months of natural gas and oil.

This is not the price Florida should pay. We should be debating here today raising fuel-efficiency standards, investing in research and development for the next generation of alternative and renewable energy. We should not be sacrificing the environment, the economy of the State of Florida for just a little oil and gas.

This Congress missed a very important opportunity to strike the balance. I have introduced a bill here in Congress, it is the Permanent Protection For Florida Act, which would have allowed for oil and gas drilling safely off the coast of Florida, safely off the coast of the Panhandle. I went to the Rules Committee and suggested that this bill be made in order as an amendment. The majority refused.

We need to strike a balance here, a balance between minimizing our dependency on foreign oil, using the resources we have, but protecting our resources. Florida's beaches are not just a State resource; they are a national resource, and they are a national treasure. They are part of who we are. And we will stand up and protect our environment, our economy, and our beaches.

Until this Congress strikes the balance, I would urge the rejection of this bill.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. PUTNAM).

Mr. PUTNAM. Mr. Chairman, I thank the gentleman for yielding.

Much has been made about the role of Florida in this debate because Florida has been offered a tremendous opportunity to participate in this debate as a result of the leadership of Mr. POMBO and Mr. JINDAL.

There are things about this bill that give Florida protections she does not enjoy today. Currently, the entire east coast of Florida is unprotected. This bill protects it. Currently, the Keys are completely unprotected. This bill protects them.

There are those who say that 100 miles is too close, who also cosponsored a bill in 1997 that would have allowed it right at 100 miles. There are those who say that the legislature shouldn't have a say in what their State does or does not do, who proudly served in the legislature, many times in leadership positions.

This is not a perfect bill. No bill that ever leaves here and heads to conference is. But it gives Florida protections she does not now enjoy. It gives Floridians control over Florida's coasts, where the chances of Florida having Florida's future in Florida's hands are 100 percent as opposed to what they are in this Congress, where they make up 25 out of 435.

It gives Floridians concrete proof, written-in-stone protection from our Department of Defense and the military mission line, thanks to the leadership of Mr. YOUNG and Mr. MILLER working with the committee to insert into this bill, along with Mr. BOYD, the definition of that military mission line, which now further aligns this House bill with our two Florida Senators' proposal.

This is a huge step forward from where we are. And the bottom line in this debate is that if we do nothing, unlike most other issues that come before this House, if we do nothing, bad things do happen. Because the moratorium that Floridians have slept under the protection of for the last 25 years begins to expire as soon as 2007, and it continues on in the expiration into 2012 when drilling will be far closer to our coast than anyone wants in this Chamber.

So I commend the gentleman for his leadership. I urge people to support the bill, I urge them to give every consideration to the Bilirakis amendment, and let us move this thing forward.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FARR).

Mr. FARR. I thank the gentleman for yielding.

This bill is an ignorant bill. This bill is a greed bill. It ignores getting away from the oil addiction. If oil is the street drug addiction, why at a time of energy independence are we increasing the addiction? You don't give alcoholics more alcohol to get them cured.

It is a greed-producing bill. Mr. MARKEY pointed out that 80 percent of the drillable Federal land is already in the oil companies' hands.

The bill steals State and local control. Why would the author go against his own State legislature, his own Governor, who opposes this legislation? Why would the President sign a bill such as this, which has a direct conflict with our own U.S. Commission on Ocean Policy which recommended that oil-gas leasing revenues be dedicated to ocean and coastal resources? There is no dedication in this bill.

This bill is a financial and environmental disaster. A ''no'' vote allows improvement.

Mr. POMBO. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, most Americans believe that we need to increase our renewable fuels and decrease

our dependency on foreign oil. And you may say, well, what does this have to do with the bill before us? The reason is that 30 to 50 percent of our corn crop is based on fertilizer. If you don't have fertilizer, it reduces dramatically the amount of corn you produce and the amount of ethanol.

Last year, we produced 4 billion gallons of ethanol in the United States, and 1.6 billion was directly attributable to fertilizer. The problem is that you can't produce fertilizer if you don't have natural gas. We have some of the most expensive fertilizer in the world and the highest natural gas prices.

We absolutely have to get this under control. We have tremendous supplies, but we can't get at them because of the regulations. So this makes sense for our economy, and it certainly makes sense for our farmers, our agriculture, and our renewable fuels.

I urge support of this bill. It is absolutely essential for our economy that we take action at this time. I support H.R. 4761.

Mr. RAHALL. Mr. Chairman, how much time remains on both sides?

The CHAIRMAN. The gentleman from West Virginia has 8 minutes remaining, and the gentleman from California has 18 minutes remaining.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. CORRINE BROWN), who represents the coastlines of Florida.

Ms. CORRINE BROWN of Florida. Mr. Chairman, during the State of the Union message, I thought I was having a flashback. I thought I was watching ''Dallas'' and J. R. Ewing was talking to us.

But, no, I was actually listening to the President of the United States, George W. Bush; and he was saying that we were hooked on oil. Funny. We are hooked on oil. Yet that was the same day that oil companies announced the largest profit in the history of the United States, $39 billion.

Yes, folks, we have got a problem, an energy problem. But let us not compound it by destroying Florida's coasts. In the past, the Florida delegation has always worked together, unified, to protect the coast of Florida. As former Governor and Senator BOB GRAHAM used to say, if you live long enough, you will be a Floridian.

Eighty percent of the Floridians do not support drilling off the coast of Florida. Vote ''no'' on this horrible bill.

Mr. POMBO. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana (Mr. MELANCON).

Mr. MELANCON. Thank you, Mr. POMBO.

Mr. Chairman, as I have expressed earlier and on numerous occasions, this oil and gas exploration is not what it was 50 years ago when it started offshore. Back then, yes, they discharged off the sides of the rigs. They didn't worry about the environment.

In these days and times, not only is the technology so much better, but so is the enforcement of all the environmental laws. That includes offshore oil drilling.

It has been a boon. And I tell my friends from Florida, you are putting artificial reefs out there that will bring fish. And if you think you have got tourists now and you think you have got good fishing now, these oil rigs will not hurt that whatsoever.

I wish we had the beaches that you have. We don't. We have lost our beaches because through the years Louisiana has provided the oil and gas, approximately, these days, 30 percent of what is consumed by this Nation. And for decades we have received zero for our efforts on behalf of this country.

After Katrina, after Rita, hundreds of square miles of Louisiana disappeared. It is gone. The only way we will ever be able to revive it or bring it back is to rebuild and restore our coastal marshes. Those coastal marshes are also responsible for about 25 percent of the seafood consumed in this country.

That estuary, that marsh, that coastal land that we have lost, for years this Congress and previous administrations have put into bills ''wants.'' Wants. We have been asking for years for help for things we need. And what we need is coastal protection. What we need is to preserve and bring back our coastal areas. What we need is barrier islands. What we need is to protect the Louisianans that produce the oil, the gas, and the fisheries for this country.

I stand here today, as I have on all of my votes, and say that this bill provides for those States that do not wish to drill, that do not want to contribute to the national effort to make us energy independent. You have an option to not do that, and that is called States' rights. That is one of the strongest parts of this bill that I think solves, or should solve, the problem or the conscience of those people who represent Americans who aren't fed up yet with $3-plus gas, who aren't fed up yet with the cost of natural gas, and who, apparently, must not be reading the paper or watching TV, if there are any like that.

□ 1545

I am so glad to see that we brought this bill to the floor. It is historic, in my mind. Louisiana, ladies and gentlemen, has been waiting decades for this help.

Mr. RAHALL. Mr. Chairman, since the time is so tilted, I would hope that my chairman from California would use more time before I yield my next amount of time.

Before I do that, I do want to commend the gentleman from Louisiana who has just spoken. Although we deliver on this issue, he has done his State and his district superbly. He has been patient, persistent and has worked with me on this issue, as has the chairman, I might add. I do want to salute Mr. MELANCON for the tremendous work and patience he has had on this legislation.

Mr. POMBO. Mr. Chairman, I yield 4 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, it is an opportunity for me to thank those who helped put this legislation together. I don't want to engage in a refutation of what in some instances can only be termed accusations with respect to the bill. I don't want to reply in a manner which sets us up in a confrontational way but rather to try to put some perspective on this issue, as I see it, as a member of the Resources Committee. I would rather talk about what the bill does do, rather than what its inadequacies might be.

I got started in this bill because of my response to the arguments made by Mr. PETERSON in committee. We pay attention in committee. Committee hearings and briefings are what gives us the opportunity to educate ourselves, and that is where I came to the table.

I didn't know enough about this issue, and I learned about it. What I discovered was, particularly where natural gas was concerned, that we needed to have it. Natural gas is the alternative energy available to us now. It is the bridge to the alternative energy future that we want.

None of us are opposing any of the alternatives that have been put forward today. We are saying we have to get there. In order to do that, we have to recognize that lifting the moratorium on the Outer Continental Shelf is the way to do it. It can be done safely. It can be done responsibly.

Issues have been made about revenue. You can't get any revenue when you don't have it coming in; 100 percent of nothing is nothing. Arguing about where the revenue is going to go, whether it is the States in some formula, whether it comes back to the Federal Government, as the Congressional Budget Office now argues the bill does, is something that we can address in time to come when this bill leaves the House and goes to the Senate and hopefully comes back for a conference.

No one is dismissing any of the legitimate concerns that have been made by those who are now in opposition to the bill. We can take all those issues up.

We have labor support now. Construction trades are for the bill, because we are going to create jobs.

When we talk about revenue, numbers have been tossed around and up to today as high as $600 billion. That money is leaving the United States. That money is not here for investment in jobs in the future of our country.

If that is in fact what is at stake, if those billions of dollars are at stake, let us put it together in a manner that keeps jobs and that money in this country. Let's seek energy independence in this Nation.

The time for natural gas exploration and extrication of energy resources in the Outer Continental Shelf has come. Simply to cite 25 years of saying no, no, no does not solve our problem.

So I ask those who have some reservations about today's bill, move this bill forward. We will take up all the considerations that you have raised. Let's move to energy independence in this Nation. Let's move to a time when we can say that we met the responsibilities of our time.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Thank you.

I appreciate the tone of my friend, the gentleman from Hawaii, but I think it is time for us, instead of having a collection of proposals that are basically an attractive grab bag politically engineered that has some attractive provisions, there is a provision in there that is very attractive to me that deals with rural education.

I think it is important that, instead, we deal with this in a thoughtful, comprehensive fashion that doesn't entail the costs of hundreds of billions of dollars off the top, that doesn't have a lop-sided process in favor of drilling pristine areas and biased against protection, making it harder to protect.

There are technical items in here about calculation of oil shale royalties. These are provisions nobody in the House of Representatives fully understands. That bears more scrutiny.

The notion of allowing oil equipment to remain out there in the ocean and not being removed under current law is not necessarily of an environmentally benign era. Environmentalists are very concerned. I would reject this politically engineered energy grab bag and work together on a policy that is safe, economical and will happen sooner.

Mr. POMBO. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Chairman, I rise in strong support of this bill.

Mr. Chairman, opposition to this bill on environmental grounds cannot be justified.

First, the industry safety record for exploration is impressive. For example, oil rigs in the western half of the Gulf of Mexico endured Hurricane Katrina without any spills.

Second, according to the Washington Post editorial board, not allowing any drilling whatsoever past the 100-mile mark may increase the danger of oil spills, because it means more incoming traffic from oil tankers, which are riskier than oil rigs. As you recall, the Exxon Valdez accident was an oil tanker, not an oil rig.

It is for these reasons, among others, that Governor Jeb Bush of Florida has endorsed this bill, as has the Washington Post editorial board. I urge my colleagues to vote yes on this legislation.

Mr. RAHALL. May I have the time again, please?

The CHAIRMAN. The gentleman from Virginia has 6 minutes remaining. The gentleman from California has 10½ minutes.

Mr. RAHALL. Mr. Chairman, I yield 1½ minutes to the gentleman from Maryland (Mr. BARTLETT).

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, today oil is above $70 a barrel. The world has either peaked or will very shortly peak in oil production. We will, of necessity, have to transition to renewables.

I am not going to vote for any drilling anywhere until we have a rational plan for transitioning to renewables. We have now run out of time and run out of energy. Additional drilling will buy us a little time to give us a little energy, but I will not vote for that until we have a rational plan.

Secondly, Mr. Chairman, we are now leaving our kids the largest intergenerational debt transfer in the history of the world. In all conscience, can we also deny them the oil and the gas that they are going to need for their civilization?

There is a true moral element to this. I have 10 kids, 15 grandkids and two great grandchildren. I want to leave them a little oil, please. Vote ''no.''

Mr. POMBO. Mr. Chairman, I yield 5 minutes to one of the chief authors of the legislation, the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. I thank the gentleman. I want to thank him for all of his work, and I want to thank all involved in the staff, because this is not an easy process, but it is one that I think has brought us to this position.

Mr. Chairman, what we are talking about today is helping America compete for the first time in the history of this country. We are not the only big dog in the world. We must compete with the Chinas, the Taiwans, Indias, who have a plan to take every business that manufactures and produces away from us.

Our steel companies have the highest energy prices in the world because we have the highest gas prices. Our wood and paper product companies have the highest energy costs in the world because of our natural gas prices. Polymers and plastics not only use a lot of energy, but a lot of energy is consumed in the making of it. Petrochemicals, 55 percent of their cost is natural gas, and in America they pay the highest price in the world. Why? Because we locked it up.

We don't want to drill for it. That is the only way you produce natural gas, is to drill a hole in the ground, put a steel pipe in, and let a harmless gas out that is one of the most valuable commodities in the world.

Fifty percent of our fertilizer companies are now on foreign shores. We will soon have none, and our farmers will rely on Russian fertilizer, if they can get it and they can afford it, to grow the corn to make the ethanol.

I talked to a big glass company in Pittsburgh, PPG. He said, I want to stay here, I want to be in Pittsburgh, but I can't compete.

Last year's natural gas prices averaged $9.50. Five years ago, they were $2. That is a five-fold increase. Those are wholesale prices. This is not about oil companies. This is about America competing. This is about homeowners being able to heat their homes. It is about small businesses who consume a lot of energy to stay in business and make a profit. It is about the blue collar workers that we ought to be protecting and representing in this country, the blue collar workers that want to raise their families and have a decent vehicle and send their kids to college.

Someone said this is a budget breaker. For every $10 billion that comes in, $5.8 billion will stay in the Treasury. How is that a budget breaker? Every $10 billion, $5.8 billion, they are talking about that because the environmental argument doesn't wash. If our shores are threatened, I wouldn't support this bill.

I have enjoyed the Florida beaches and the North Carolina and South Carolina beaches as much as anyone. Folks, they have been producing on the Outer Continental Shelf in Canada forever. They have drilled in Lake Erie, gas only, since 1916. Twenty-some hundred wells they drill every summer.

Ireland has good beaches; Norway, an environmental country; UK, Netherlands, Scotland, New Zealand, Australia. Folks, we are the only society that has said we are going to lock up our resources. We are going to buy them from foreign countries. We are going to buy them from countries that don't support us. We are going to pay high prices. We are going to enrich them so that they can own us. That is the path we are on.

I am for renewables. Natural gas is the bridge to renewables. Natural gas is a forerunner to hydrogen. The hydrogen cars will have a natural gas tank. One-third of our auto fleet could be on natural gas at these prices, and we could move almost 3 million barrels a day.

Folks, this is about America competing. For the first time, we have countries who can clean our clock economically, and they are trying to. Are we going to give them an energy advantage? Are we going to give our jobs to China and Taiwan, hand it to them, because energy is a third there of what it is here, Russia a fraction, South America, 1.5? We will be buying our bricks and glass from Trinidad.

Folks, this is about workers in America who want to have a good job, and affordable energy is the best thing we can do for them.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida (Mr. MEEK).

Mr. MEEK. Mr. Chairman, I guess I want to quickly say that as someone

that is from Florida, that does know something about coastline and intracoastal and who does know something about the economy that we count on in Florida, we have people who travel throughout this world who come and spend their dollars in this United States because this Congress and the United States of America protected our beaches over the years.

Now we know that oil companies are very, very pushy right now, and they want all that they can get right now, in the moment. But, you know, the thing may change respectively in another 2 or 3 months. This wouldn't even be a discussion.

□ 1600

We are in Florida. We are asking for no drilling whatsoever. We are asking for alternative fuels and real investment and making sure that we have flex vehicles, making sure that we can go on ethanol, making sure that we can invest in the heartland and the Midwest versus the Middle East.

We are all for energy independence, but I can tell you, not on the backs of our environment, not on the backs of our economy, not on the backs of individuals that have fought before us in this House of making sure that we can at least keep some of our beaches oil free and not have what some would want us to have as it relates to special interests.

I respect the Members on the other side of this issue, Mr. Chairman, but I think it is important for us to realize that it is not worth going into these sensitive areas.

Mr. RAHALL. Mr. Chairman, I yield the remainder of my time to the gentleman from Massachusetts (Mr. MARKEY), a very valuable member of our Resources Committee, and the ranking member on the Financial Services Committee.

Mr. MARKEY. Mr. Chairman, right now in America, 80 percent of all of the Outer Continental Shelf area where the oil and gas is already open to the oil and gas industry. The only thing that has stopped the oil and gas industry from going to much of the area in the Outer Continental Shelf where 80 percent of the oil and gas is, which we all agree they should be able to go to, today, under the law, with no changes, is that the price of oil was $30 a barrel. But at $70 a barrel, Shell and ExxonMobil are going there. So what is the debate about? Well, yeah, I don't want them drilling off of Massachusetts, in Georgia's bank, and the Floridians don't want them off their shore. But that is really not what it is all about.

Right now, according to the Minerals Management Service, we can expect $600 billion to go to the Federal Government for drilling right down here in Federal land on land which is already open to the oil companies. And that $600 billion is used and will be used to pay for our troops in Iraq, to pay for the education of poor children, to ensure that we can pay for Medicare benefits for senior citizens.

But what the majority is doing, what the Republican administration is doing is they are going to take that $600 billion that would have gone to the Federal Government, and they are moving it down here where only four States are going to get the benefit of it. Only those four States are going to be the beneficiaries.

Now, if you come from one of those four States, Texas, Louisiana, Mississippi or Alabama, you vote for this bill and put out a press release tonight. You tell everyone back in your districts in those four States, we were able to convince the United States Congress to give us $600 billion today.

And by the way, Huey Long used to say, ''every man a king.'' Well, every man and woman will be a king in Louisiana after this. And God bless them if they can pull it off today.

This is the king of all earmarks. It will take 200 amendments a day from Mr. FLAKE for the next 50 years to get back this $600 billion. And the Republicans, of course, will oppose the cuts that he will propose out here on the House floor as well. So that is what it is all about.

It is about this shifting of money from all of the red States, 46 States, down to four States. And that is the game that is going on, because the oil industry is already drilling in the Gulf on Federal lands that we all agree they should go to today. And that is why the Minerals Management Service, the Bush administration says that $600 billion will be lost to the Federal Treasury because over 80 percent of all of the revenues that are going to be generated from this proposal will go there.

And so, ladies and gentlemen, if you are out there listening, this is, without question, also, nothing that can happen in your State that will make up for the loss of this $600 billion. If this was any other bill, we would be having a huge fight over what the formula should be for who gets this money. But instead, in one fell swoop, the Republicans are moving $600 billion from 46 States into four States.

Do not vote for this bill. This is a fiscal disaster. This money should remain in the budget for the troops in Iraq. It should remain in the budget for Medicare recipients. It should remain in the budget for the poor children of our country.

Mr. POMBO. Mr. Chairman, I yield myself the balance of our time.

Well, it unfortunately hasn't been that enlightening of a debate because we have had a number of people come to the floor and debate things that either weren't in the bill or had nothing to do with the bill. Fortunately, they decided to close with Mr. MARKEY, who debated something that had nothing to do with our bill, which happens.

The truth of the matter is, when it comes to the cost of the bill, it is a net revenue increase to the Federal Government, $2.3 billion over 5 years, $900 million over 10 years. That is what the bill does. So all the numbers you heard about, 600 billion, 800 billion, how many trillion, they pulled them out of the air. The CBO score on the bill is $2.3 billion over 5 years in increased revenue to the Federal Government.

We also heard that 80 percent of the OCS is already leased. Eighty percent. That is strange because 85 percent of it is off limits. Eighty percent of it is off limits. And yet they claim 80 percent of it is already leased.

Talk about fuzzy numbers? That is about as fuzzy as it gets.

We also heard somebody come down here a little while ago, and I love this, oh, we are going to cure it with CAFE standards. We are going to raise CAFE standards. That is how we are going to cure our energy problems.

Let me let you in on a dirty little secret on CAFE standards. U.S. auto makers manufacture cars today that get 35, 40, 50 miles to the gallon. What they want to mandate is not that car companies make cars that get 50 miles to the gallon. They want to mandate that you have to buy them. They want to mandate that their constituents have to buy those cars because they are available today and they are not buying them. So they want to force them down your throat because you won't buy them.

Let's talk about energy policy. You know what our energy policy is in this country? Our energy policy is no, we are not going to develop domestic energy, period.

For 30 years, we have had the same people coming down here making the same arguments as to why we can't develop a domestic energy source. And it doesn't matter if it is natural gas or oil or hydro or solar or wind or what it is. It makes no difference. They are still a no. There is always a reason to be no.

We had the Alaskan National Wildlife Refuge, and they vote ''no.''

We had a bill last year on the floor that expanded wind, solar, geothermal. They voted ''no.'' We have had the opportunity five times to vote on an energy bill that put money into alternative energy, renewable energy, conservation, and they voted ''no.'' No, no, no. No domestic energy, nothing for our constituents, for our businesses, for our economy.

And what was the result of all of that? The result is that in the early 1970s and the mid-1970s, when we had our first energy crisis and OPEC cut us off and we had gas lines, we were dependent on foreign energy for 33 percent of our energy. In their 30 years of policy, today we depend on foreign countries for 66 percent of our energy.

You can't be no on everything. Everything that has been proposed, no matter what it was, the answer was no.

Now, you might think, well, they must have an alternative. There must be something else they want to do. Well, maybe it is, but they have failed to tell anybody, because they oppose everything.

This bill was a compromise. This bill was a compromise between the 24 different bills that have been introduced

in this Congress alone on offshore gas development, oil and gas development. Twenty-four bills. The two major bills, one was introduced by Mr. PETERSON and Mr. ABERCROMBIE, and it dealt mainly with natural gas. The other one by Mr. MELANCON and Mr. JINDAL. And we sat down and we tried to work out the differences between those bills.

And, obviously, the coastal States have something to say about what happens off their coasts. I don't care how many times you come down here and rant and rave, the coastal States have something to say about what happens on their coasts. And we had to include them in this. We had to include them in the negotiations and them in the debate.

And the decision was made that for the first time in our history that we would give the States, the coastal States, the ability to protect 100 miles off their coast. It would be up to the State legislature and the Governor for whether or not they wanted any kind of development. If they chose not to, they wouldn't get it. If they chose they want it, then it would be, the opportunity would be there for them to do it. And if they chose to, they would share in the revenue, exactly the way we do on onshore public lands. Exactly the same way.

I am telling you, it is time to stop saying no. It is time to move forward with energy policy that makes sense for all of America, not just a small group of special interests who want to destroy our economy.

Mr. STARK. Mr. Chairman, even if I supported offshore drilling—which I don't—I certainly wouldn't do it through this fiscally reckless and convoluted bill.

The Domestic Energy Production through Offshore Exploration and Equitable Treatment of State Holdings Act makes it far easier for states to allow drilling than to prevent it. It bribes states into allowing offshore drilling by increasing their share of royalties from 27 percent to 50 percent, at a cost to the federal government of $600 billion over 60 years. If a state takes no action to facilitate natural gas drilling in the immediate year or oil drilling in the next three years, then this law would open its waters for drilling. In order to maintain a moratorium on drilling, a state legislature would have to vote to prohibit drilling every five years. How many states will be able to resist billions of dollars in exchange for doing nothing?

H.R. 4761 also guts the environmental review process and makes all other uses of the Outer Continental Shelf subordinate to drilling, even in states than continue to ban drilling. According to the bill, ''No Federal agency may permit construction or operation of any facility, that will be incompatible with. . . oil and gas or natural gas leasing.'' So if your state wants to operate a marine sanctuary, it better pass the Pombo oil compatibility test.

All this, and for what? Drilling is already allowed in areas that have 80 percent of offshore oil and natural gas reserves. This bill simultaneously endangers our coasts and delays an urgently needed transformation to a clean energy economy. I vote no to yet another Republican attempt to maintain our oil addiction.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, because I firmly oppose drilling for oil off the coasts of Florida, I believe that it is critical that a permanent, state-controlled ban on drilling around the entire state becomes law as soon as possible. This is why I believe the Pombo-Putnam compromise in H.R. 4761, the Domestic Energy Production through Offshore Exploration and Equitable Treatment of State Holdings Act of 2006, is essential in order to protect Florida's beaches.

The Pombo-Putnam compromise would allow Florida to prohibit drilling for 100 miles. In negotiations with the legislation's authors and in the House Rules Committee, I worked to further protect Florida's environmental treasures. As successfully amended, the compromise would also codify the ban on drilling within the ''military mission line''—approximately 234 miles from Tampa—to provide even more protection for Florida's west coast.

This plan, in many ways, is better than a bill that the Florida delegation almost unanimously cosponsored in 1997. That bipartisan legislation sought to prohibit any leasing or drilling within 100 miles of Florida's coasts, but did not include the added protection provided by the ''military mission line.'' It also lacked the factor of state control of the drilling issue. Former Governor Lawton Chiles also supported, in writing, a 100-mile ban on drilling.

Presently, Florida's only protections against offshore oil drilling reside with an expiring presidential promise (known as the ''moratoria'') and a year-to-year appropriations limitation amendment—a technical legislative maneuver that prohibits Federal funds from being used to conduct offshore leasing.

The stark reality Florida faces is not only the expiring ''moratoria,'' but also a strong push in Congress to allow drilling as close as 20 miles from our shores. On May 18 of this year, the House passed an amendment by a close 217–203 vote to prevent drilling as close as three miles from Florida's east coast and nine miles from Florida's west coast. Eight cosponsors of a bill (H.R. 4318) to allow drilling just 20 miles off Florida's coasts voted for this amendment because they felt that three miles was just too close. Had those eight cosponsors voted against that amendment, the vote would have been lost 211–209, and drilling would have been allowed as close as three miles from Florida's coast. Although they voted for this particular amendment, our colleagues assured us that they would vote in favor of legislation to allow drilling at 20 miles. Instead of relying on votes from over 400 Congressmen from outside of Florida, I support placing the fate of Florida's beaches in the hands of Floridians.

In 2005, Congressional passage of a plan was possible that would have permanently banned drilling within 125 miles of our beaches. On June 29, 2006, we learned, by a vote of 65 to 353, that a majority in Congress no longer supports a 125-mile ban. Last year's offer of 125 miles has now been reduced to 100 miles from our coastline. The next step could very well be a horrible 20 miles. As a strong opponent of drilling, I believe that our window of opportunity in Congress for a permanent ban on offshore drilling is closing. This is why I support the Pombo-Putnam compromise.

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Mr. UDALL of Colorado. I agree with President Bush that an America now ''addicted to oil'' needs to reduce its dependency on petroleum and other fossil fuels.

And as a chair of the Renewable Energy and Energy Efficiency Caucus, I strongly support legislation aimed at achieving that goal,

including greater investments in renewable energy sources (such as wind, sun, and biofuels) that also will boost our economy, create jobs, and revitalize rural communities.

Still, some additional development of the oil and gas resources of the Outer Continental Shelf (OCS) would be desirable to help meet our immediate needs, and I could support appropriate legislation to achieve that result.

Unfortunately, I do not think this bill is appropriate, and I cannot support it as it stands.

The bill's provisions dealing with the OCS are excessively complicated and costly, and the bill also includes a plethora of unrelated and unnecessary provisions, including changes in the rules for onshore leases and a section dealing with oil shale royalties that I think is particularly troublesome.

In the Resources Committee, I offered an amendment that would have made this a much simpler bill. It would have deleted all the complicated provisions dealing with State legislation, different rules for different parts of the offshore lands, and the disposition of Federal revenues—not to mention the section about oil shale. It would have replaced all that with a short and simple requirement for the Interior Department to lease within a year the lands within the so-called ''181 Area'' in the Gulf of Mexico.

My amendment was essentially identical to a bill—S. 2253—introduced by Senators DOMENICI and BINGAMAN with 28 cosponsors, from both sides of the aisle and already approved by the Senate's Committee on Energy and Natural Resources by a bipartisan vote of 16 to 5. Its groundwork has been laid by the Department of the Interior over a number of years, including completion of environmental reviews and consultation with coastal States and the public.

The amendment would have put only two limits on the requirement for leasing the 181 area.

First, it said that one part—the part east of a ''military mission line''—could only be leased if the Defense Department had agreed in advance that development there can be done without interfering with military activities. That responded to issues raised by Secretary Rumsfeld last year in a letter to the Senate's Armed Services Committee.

And, second, the amendment said there could be no leasing within 100 miles of the Florida coastline. That, of course, responded to concerns about potential adverse effects on that State's coastal areas.

According to the Mineral Management Service, the whole 181 area has about 930 million barrels of recoverable oil and more than 6 trillion cubic feet of recoverable natural gas. And the same agency's numbers show that even if the Defense Department were to say there would be no leasing east of the military mission line, there would still be about 800 million barrels of recoverable oil and nearly 5 trillion cubic feet of recoverable natural gas in the rest of the 181 area. Thus, my amendment would have cleared the way for rapid development of significant new supplies of energy. And it would have done so without the complications that caused the Administration to testify that they have ''serious concerns'' about the bill as it stands.

If our goal is to get more energy from offshore areas, I think it would make more sense to start with simple and straightforward legislation that's based on sound science and that has some strong support, including from a significant number of our colleagues in the other body.

My amendment followed that approach—but, unfortunately, the committee did not adopt it.

As a result, we must vote today on this seriously flawed bill which, according to the Congressional Budget Office, will ''increase net direct spending by about $900 million in 2007, $3.2 billion over the 2007–2011 period, and $11.0 billion over the 2007–2016 period.''

Those are sobering numbers. And even if the bill is revised along the lines proposed by some of its supporters, I expect any change in that estimate to be marginal, and will have no significant effect on the bottom line. I am not ready to support increased mandatory spending on the scale that will result from this bill while our country is at war and we are running persistent budget deficits that must be financed by increases in the national debt our children will be required to repay with interest.

And I think if anything CBO underestimates the potential costs of this bill to the taxpayers, because their estimate does not discuss all of the provisions not directly related to offshore leasing.

For example, while the estimate does discuss section 17's requirement that the Interior Department comply with lessees' requests for the government to repurchase and cancel leases (and compensate their holders) under certain circumstances, it does not note that the chances of such required payments are increased by section 19, which would impose a series of tight deadlines which the Interior Department must meet if it is to avoid a demand for compensation.

It could be that CBO isn't able to estimate how much money that might cost—and, even if they could, that estimate would not include other costs, including the likelihood that the deadlines will lead the Interior Department to put so much emphasis on speed that they will be less careful in the way they assess potential problems and will not ensure appropriate steps to mitigate those problems. This would not be good for the owners of private surface properties underlain by Federal minerals, for affected communities, or for the environment.

Further, the estimate does not even mention section 24, which would prohibit the Department of the Interior from adjusting the fees it charges for actions related to mineral leases. This applies to both offshore and onshore leases, and could result in requiring the taxpayers to shoulder the burden of paying for things that otherwise would be the responsibility of the mineral lessees.

And, CBO says nothing about Section 29, which deals with oil shale.

Colorado has lots of oil shale, so we have a special interest in the subject. But it's important for the whole country, as an energy resource, and it's important to all taxpayers because most of it, as Federal property, belongs to them.

That means that all the taxpayers have an interest in how it is developed and what return they the taxpayers, will get for this resource. And both those interests—in oil shale as an energy source and in fair treatment for the taxpayers—are reflected in current law.

Specifically, section 369(o) of the 2005 Energy Policy Act says the Secretary of the Interior will set royalties and other payments for oil shale leases at levels that will do two things—first, ''encourage development'' of oil shale; and, second, ''ensure a fair return to the United States,'' meaning to the taxpayers.

I was not a big fan of most parts of last year's energy bill, but I think that provision is good policy. So, I am troubled that part of section 29 of this bill would repeal it and replace it with what can only be described as legislative price fixing.

The relevant part of section 29 starts by telling the Secretary of the Interior to ''model'' tar sand and oil shale royalties on the royalty program now used in one Canadian province. But then it goes on to say that the Secretary would have to reduce the actual rates in accordance with ''a sliding scale'' based on a complicated formula based on the monthly average price of ''NYMEX West Texas Intermediate crude oil at Cushing, Oklahoma.''

I'm not an expert on oil prices, but it's easy to understand what is involved here. It's Congressional micromanagement in the form of legislating a formula for royalty rates.

It's an attempt to have Congress—not the Secretary—decide a very technical issue that could affect a lot of money. And it's the kind of thing that should raise suspicions in anybody who cares about making sure the taxpayers get a fair shake, especially because the supporters of the bill have made it clear that they put more emphasis on encouraging production than on ensuring that the Federal Government—and the local Governments with whom the revenues are to be shared—will get a fair return.

As the Interior Department proceeds to implement the current law, there will be ample opportunity for all of us to weigh in if we think the Secretary is not doing a good job in setting royalty rates. In the meantime, I think Congress should not try to set the rate through legislation.

That was why I opposed including a similar provision in the reconciliation legislation when the Resources Committee debated it earlier this year, and why I was glad when it was finally dropped from that legislation. But, like a bad penny, it turned up again in this bill—and is still the same bad idea as before.

So, in committee I offered an amendment to strike this attempt at long-term political price-fixing, and to replace it with the language of the current law that says the Secretary is to set royalties that will encourage development and ensure a fair return to the taxpayer. Unfortunately, that amendment was not adopted, either, which is another reason I cannot support the bill.

In fairness, I should note that the bill does include some worthwhile provisions. One example is the provisions aimed at closing OCS royalty-rate loopholes that have unduly reduced the return to the taxpayers. Another is section 23, which deals with support for accredited petroleum and mining schools, applied geology and geophysics programs, and individuals pursuing degrees in petroleum and mining engineering and related subjects.

Overall, though, the bill's good parts are so outweighed by its defects that I cannot support it.

Mr. VAN HOLLEN. Mr. Chairman, I rise today in opposition to H.R. 4761, the Offshore Drilling bill. I do so not because I am categorically opposed to expanding the scope of offshore drilling, but because I believe this bill does so in an irresponsible fashion. As proponents of the bill have correctly stated, Canada and Norway have both allowed offshore

drilling in an environmentally sound manner. In particular, I believe we can increase our supply of clean natural gas through expanded offshore drilling. This bill, however, would create a blank check for oil and gas drilling without adequate oversight and environmental safeguards.

Moreover, this bill diverts much-needed funds from the Federal Government to the States and creates hurdles for States that would prefer to opt-out of costal drilling. In order to create incentives for states to approve offshore drilling, the bill would divert money from leases in Federal waters to States. This includes existing leases that are currently generating Federal revenue. This loss of funds would only increase our ballooning deficit. As the Bush Administration itself has reported to Congress, this bill will reduce Federal revenue from oil leases by several hundred billion dollars in the years ahead.

The bill's proponents claim that states can choose not to drill off their shores. But the hurdles it creates makes opting out difficult. In order to protect their waters from drilling within 50 to 100 miles, governors would have to get the concurrence of their State legislatures within one year to petition the Department of the Interior to prevent natural gas only leasing, and within three years to prevent oil leasing. States must re-petition every five years to maintain the protections. And the legislation entices states to drill within 50 miles of the coastline by offering between 50 and 75 percent of the revenues if they opt-in. With such an incentive, valid environmental concerns may easily lose to fiscal ones.

Mr. Speaker, we must to take action to develop a comprehensive energy strategy. That requires a policy that includes energy supply, energy efficiency, and energy conservation. We can increase our domestic production of oil and gas through responsible offshore drilling. This bill does not do that. Moreover, this bill does nothing to promote renewable sources of energy that are critical to reducing our dependence on foreign oil and fossil fuels. We must adopt a comprehensive long-term energy policy in order to achieve important national security, environmental and economic objectives. Unfortunately, this bill represents a lost opportunity to meet these goals.

Mr. SHIMKUS. Mr. Chairman, more than 80 percent of the area in the Outer Continental Shelf is off-limits to energy development, while the Department of Energy estimates that maintaining U.S. economic growth through 2025 will require a 40 percent increase in natural gas.

I rise in support of H.R. 4716, the Deep Ocean Energy Resources Act—a vote for H.R. 4761 is a vote for agriculture. Currently, natural gas makes up 90 percent of the production cost of anhydrous ammonia, a nitrogen fertilizer and the chemical building block for all other nitrogen fertilizer products.

Nitrogen fertilizer is used on all crops produced in this country, but it is a key plant nutrient to produce corn a critical crop to Illinois farmers.

Since 2002, thirty-six percent of the U.S. nitrogen fertilizer industry has been shut down or slowed. This loss of U.S. production has had a significant impact on the American farmer. The continued loss of production from the domestic nitrogen industry would force U.S. farmers to rely on a highly uncertain and highly volatile world market with no assurance that they will be able to obtain enough product to meet their full demand.

This is particularly important when considering the importance of nitrogen to farmers. For example, according to the University of Illinois, 30–50 percent of corn yields can be directly attributed to nitrogen fertilizer.

Farm input prices have not gone down but have escalated at a record pace. Nitrogen prices have climbed over 80 percent during this time period resulting in over a 50 percent increase in a typical corn farmer's fertilizer bill.

Just as disturbing, since 2003—Illinois has lost more than 56,000 manufacturing jobs. Natural gas availability and skyrocketing price increases the cost of doing business and hurt the ability of Illinois manufacturers to compete in the global economy.

New supply of natural gas from the Outer Continental Shelf is needed to give U.S. agriculture and manufacturing sectors access to affordable and reliable sources of fertilizer and energy. Please support H.R. 4761 to ease the burden on U.S. farmers. A vote for H.R. 4761 is a vote for agriculture.

Mr. SHAYS. Mr. Chairman, I rise in opposition of H.R. 4761, which would open the entire Outer Continental Shelf to drilling for both oil and gas. Before looking to open up more area for drilling, we need to develop a comprehensive energy policy that emphasizes conservation, as well as increasing our supply with renewable and nonrenewable energy resources.

We need to increase our supply of energy, but it is imperative we first take bold action to reduce our demand for oil. This legislation takes the wrong approach to our energy policy by not challenging Americans to use energy in more responsible ways.

The bottom line is we are not resolving our energy needs because we are not conserving. We'll just continue to consume more and waste more, consume more and waste more, and act like it doesn't matter. We are on a demand course that is simply unsustainable.

Drilling is the wrong answer to the right question of how do we meet our energy needs? Before we increase our supply of energy, we must first take control of our overconsumption.

Mr. PETRI. Mr. Chairman, today I am voting for the Deep Ocean Energy Resources Act; however, I do so with reservations.

I agree that we need to end our dependence on foreign oil, and I believe that this legislation will benefit our economy by increasing domestic energy supply and creating American jobs. However, I am concerned with a number of provisions in the bill. In particular, I am concerned about the overly generous revenue sharing provisions that direct money away from the federal treasury to coastal states. I know improvements have been made in the manager's amendment adopted today, but I hope we continue to discuss the proper balance between the state and federal share of revenues generated from a federal asset.

I also have reservations about the potential for this legislation to weaken federal environmental laws. Finally, I have concerns with the power we are giving states over waters as far as 200 miles off their coasts. What coordination is there with the federal government in terms of jurisdiction over these waters, such as impacts on shipping lanes and other national or international priorities?

I believe that in order to truly end our dependence on foreign oil we need to pass legislation that promotes conservation and alternative energy sources, and increases domestic production in a manner that limits the potential for damage to our invaluable coastlines, national parks, forests, and other natural resources.

My vote today is a vote to move this process along, but I hope any conference report or final bill brought before us will address these concerns and my vote on a bill going to the President will be based on how these issues are resolved.

Mr. CONYERS. Mr. Chairman, I rise in strong opposition to H.R. 4761. Once again, Congress wants to give a handout to Big Oil and jeopardize the environment instead of working for an energy policy that would benefit all Americans. The oil companies and their Republican partners in Congress are seeking to exploit our concern over high oil prices to force through a controversial, destructive, ill-conceived measure.

This legislation will allow big oil and gas companies to profit by bribing coastal states to lift their drilling bans with the promise of quick cash in the form of royalties. H.R. 4761 would make these monies available by shifting offshore drilling royalties from the federal government to the states. The Bush Administration's own Minerals and Management Service (MMS) has estimated that this bill could cost the federal government $600 billion in lost royalty revenues over the next sixty years. The only reason we're even able to consider this bill is because the Republicans waived the rules that normally protect the taxpayers from deficit spending and new entitlements.

Of course, states that choose not to open their coasts to drilling would receive no royalties. But, Mr. Chairman, oil spills do not respect political boundaries. An offshore spill from one state could easily cripple the coastal economies of its neighbors. Those states that choose to protect their sensitive shorelines from drilling would still have to face the consequences of their neighboring state's decision to allow the oil companies in.

The sponsors of this bill claim that their proposal poses no threat to the environment. Yet, the bill drops the requirement for oil and gas companies to prepare an environmental impact statement in order to get a lease for drilling. Not only would H.R. 4761 expose more of our coastline to environmental destruction, it would free oil and gas companies from existing requirements to clean up their operations and restore the drilling site when they are finished with it. Unbelievably, it would allow the oil companies to dump their abandoned oil rigs in the ocean. Make no mistake about it: this bill is a blank check to Big Oil, and the price will be paid by ordinary Americans.

Mr. Chairman, this bill is no way to solve America's energy crisis. Congress has set and sustained a precedent for wise stewardship of our sensitive coastlines for the last 25 years, knowing that one offshore oil spill would cripple our pristine beaches, fisheries and coastal economies. Let's not permanently terminate this time-honored tradition by giving away America's coasts to the highest bidder. I urge my colleagues to vote no on this ill-conceived, destructive legislation.

Mr. CALVERT. Mr. Chairman, I rise today in support of the Deep Ocean Energy Resources Act. The legislation before us represents a balanced approach to expanding domestic energy production and, for the first time, gives

states an opportunity to determine what occurs along their shores.

I represent a coastal California district that includes beautiful beaches up and down the City of San Clemente's shoreline. I take the responsibility to protect those beautiful beaches seriously and I have worked with local officials over the years to do just that. I would not be supporting the bill if I did not believe it gave local and state officials the necessary authorities they need to protect our invaluable coastlines. Our coastal states deserve the right to make energy production decisions that affect their people, environment, and economy.

I also believe we must ensure that our military needs throughout the Outer Continental Shelf (OCS) are accounted for and protected. Our military conducts significant training and operations in the OCS to protect our mainland and maintain readiness for future conflicts. As many of my colleagues from the Armed Services Committee know, military training and operations are under a seemingly constant threat of encroachment from many sources.

In fact, just this week a lawsuit was filed by an environmental group to prevent the Navy from conducting exercises in the Pacific Ocean. While people will undoubtedly disagree about the merits of the lawsuit, there should be no disagreement about the fact that the cumulative effect of encroachments upon our military restricts the ability of our servicemembers to protect our nation.

To that end, I believe we must enact OCS drilling policies that do not place another level of work-around restrictions on our military and require OCS leasing programs be developed with the consultation and concurrence of the Secretary of Defense. We did so in the Energy Policy Act as it relates to siting LNG facilities and we should do it again in the Deep Ocean Energy Resources Act as we develop OCS energy supply. I look forward to working with my colleagues on the Armed Services Committee and Resources Committee to ensure that any OCS drilling legislation sent to the President provides the proper and necessary authorities to protect our military ranges, training and operations.

With the July Fourth holiday just around the comer, Americans are reminded of the liberties and freedoms secured by our nation's military. There are many ways Americans can express their appreciation for our military. One way this Congress can express our appreciation is to enact policies that protect our military from unintended encroachments to military training, operations, and readiness.

Mr. CASTLE. Mr. Chairman, I rise today in opposition to H.R. 4761, the Deep Ocean Energy Resources Act, which would end a twenty-five year oil and natural gas drilling prohibition for most of the country's offshore waters.

The increased strain that high-energy prices are having on the pockets of many Americans, and the national security concerns over the United States' dependence on foreign oil are real problems that deserve thoughtful, multi-pronged policy solutions. While the severity of current energy trends cannot be ignored, we cannot rush to drill before first crafting a comprehensive energy policy with solutions for meeting both our immediate and future energy needs. We must work to increase vehicle fuel efficiency, spur investment in efficiency and renewable energy research and technology, and improve conservation methods.

I respect the attempt to increase the states' ability to participate in the planning of oil and gas development off their shores, however H.R. 4671 goes too far and undermines the strong federal protections for our coastal waters. H.R. 4671 purports to allow states to maintain control of activities in their coastal waters, but instead ties states' hands in many ways with unprecedented provisions. It subordinates every other use of coastal waters to oil drilling, blocking any effort to use waters in a way that could ever limit drilling, undermines states' authority under the Coastal Zone Management Act, changes state marine boundary maps, and it eliminates many environmental reviews and public participation requirements for issuing oil leases and for exploration and drilling activities. Clearly, this is of concern to our State and other nearby States too (see attached Governor's letter).

I am also concerned that this legislation lifts the offshore drilling ban, while we continue to ignore many conservation and alternative fuel proposals, which would have a more immediate and beneficial effect on meeting our energy needs.

H.R. 4761 does not simply deal with increased drilling, but instead has other far-reaching implications for coastal states and federal revenues. This legislation would create an open-ended fund for drilling states, with no reporting requirements, at a time when we have a huge federal deficit. The estimated cost of this transfer from federal revenues to states is estimated to be several hundred billion dollars over 60 years, according to President Bush's Statement of Administration Policy.

While a thoughtful approach to offshore drilling is worthy of consideration, this legislation is not good policy for Delaware or the United States.

Mr. HOLT. Mr. Chairman, I rise today in opposition to the Deep Ocean Energy Resources Act (H.R. 4761). I fundamentally disagree with the premise of the Deep Ocean Energy Resources Act that more drilling, regardless of where it is, is the answer to energy independence.

I have read in the papers this week that this bill will be considered on the House floor as part of an ''Energy week.'' Republicans would like to use this bill to claim that Democrats are not committed to ending our dependence on foreign oil or as a ruse to feign lowering gas prices before the July 4th holiday weekend. This is simply not true.

Just so we have the facts straight, today we are considering a bill that will immediately lift a twenty-five year moratorium on offshore drilling on the Outer Continental Shelf. This is the same twenty-five year moratorium that the House overwhelmingly voted in favor of continuing just a couple of weeks ago when we considered the Fiscal Year 2007 Interior Appropriations. The major difference between the two votes is that the Deep Ocean Energy Resources Act will give states an ''opt out'' option.

The so-called ''opt out'' option is alarming to me, because in truth, it is anything but giving states the authority to control what happens off their own coasts. In fact, what this bill does is first cut the moratoria area by 100 miles from state boundaries (current law establishes a boundary of 200 miles). Then the bill lifts the moratoria on drilling between 50–100 miles off a state boundary. Yes, many of my colleagues will assert that states then have the ability to ''opt out'' of offshore drilling leases. However, the complicated procedures outlined in the bill will actually make it difficult for states to use this ''opt out'' option and if they miss the deadline to file a petition, drilling can start immediately. My question for my colleagues who support this bill is: What happens if New Jersey is successful in opting out of new leasing but New York and Delaware decide to allow drilling. How can New Jersey coastal cities, businesses, and other interested parties be sure that accidents in neighboring states will not affect their industries?

Many of my colleagues today have talked at length about the costs of this bill. An estimate initially done by the Minerals Management Service (MMS) concluded that the bill would add $69 billion to the federal budget deficit over the next fifteen years. CBO also estimates that the bill will cost taxpayers $11 billion over the next ten years. I would hope that many of my colleagues who care deeply about the fiscal discipline of this Congress would see the hypocrisy in passing this bill.

I am most concerned with the bill's direct contravention of the National Environmental Policy Act provisions that promote environmentally friendly practices. Section 12 of this bill says that seismic air gun surveys and other exploratory leasing plans are exempt from preparing an Environmental Impact Statement before drilling can occur. The effects on our environment of seismic air gun surveys and other exploratory plans are well documented. Large blasts and seismic airgun arrays can cause severe damage to the hearing of many of the ocean wildlife that depend on hearing for survival in addition to the damage to the reefs and other ocean landscape. In 2004, the International Whaling Commission's Scientific Committee concluded that increased sound from seismic surveys was ''cause for serious concern.'' Allowing lease sales to be exempt from NEPA is misguided policy.

For all these reasons I have outlined above, I urge my colleagues to vote against the Deep Ocean Energy Resources Act. I have said this before on the House floor and I believe it is worth saying again: drilling is not the answer to our energy concerns and until we in Congress work to promote energy conservation and sustainable energy supplies, we will continue on the same treacherous path we are on today.

Mr. TIAHRT. Mr. Chairman, I rise again today in strong support of jobs and lower energy costs for the American people. The House is considering the Deep Ocean Energy Resources Act of 2006 that would establish a common-sense framework to help America access more of its vast energy resources in an environmentally safe manner. More access to energy sources means more energy security for the American people, more jobs for workers and less dependency on foreign sources of energy.

I strongly support H.R. 4761 and commend Representative BOBBY JINDAL for his work on this important energy bill. I also want to thank Chairman POMBO and Chairman BARTON for their work on this issue and for their leadership in helping bring this bill to the floor today.

The Deep Ocean Energy Resources Act will allow for expanded oil and gas leasing off the Outer Continental Shelf (OCS) by allowing the Secretary of the Interior to offer new OCS areas for leasing that presently are not open.

I urge my colleagues to join me in support of H.R. 4761. Support of this bill is support for helping move us away from our dependency on foreign sources of energy. The United States is currently more than 60 percent dependent on foreign sources of oil to meet our growing energy demands. If we do not take steps to access more domestic sources of oil and natural gas, we are placing ourselves at an economic disadvantage. American's pay more for natural gas than any other country in the world. The high cost of natural gas is not just an inconvenience, it is costing American jobs.

My colleague from Pennsylvania, Representative JOHN PETERSON, regularly notes that America is the only country in the world with a moratorium on off-shore drilling for natural gas. While there are vast amounts of this environmentally-clean energy source available in areas far off our shorelines, opponents of lifting the moratorium are standing in the way of lowering energy costs for our farmers, chemical workers, small businesses and manufacturers.

Because Americans pay as much as 600 percent more for natural gas than other countries, American businesses are often at a competitive disadvantage when trying to compete with foreign businesses.

We all know our farmers depend upon natural gas for everything from irrigation to food processing to nitrogen fertilizer production. When the price of natural gas is high, that translates to more economic hardship for rural America. And unlike most other businesses, farmers are not able to pass along their increased input costs to consumers. It simply means less income for them and the rural communities that depend on a strong agriculture economy.

Natural gas prices account for most of the cost of fertilizers, which means that as long as we refuse to open up more of our natural gas reserves and lower the costs, farmers and rural farming communities will continue to suffer.

In the past six years, 21 fertilizer plants in this country have closed because they were no longer able to compete. This is just one example of how high natural gas prices are closing businesses and killing jobs. The longer we wait to lift the moratorium on offshore drilling, the more jobs we lose.

Small businesses suffer when natural gas prices are high because they have to spend more money for heating and cooling bills rather than investments in new technologies or better wages for workers. Instead of being able to sell their products and services for less, many businesses are forced to raise their prices. In today's 21st century economy, small businesses are often competing with foreign competitors, not just the business down the street.

Manufacturing jobs are even more at risk for leaving if we do not address the high cost of natural gas in this country. Over 100,000 chemical jobs have been lost over the past five years because of high natural gas costs. These are jobs that we should not be forced to lose. Americans deserve better than a continuation of an out-dated moratorium on offshore drilling for natural gas and oil.

I urge my colleagues to join me in voting for H.R. 4761 and help America compete by lowering energy costs, creating jobs and becoming more energy self-sufficient.

Mr. MILLER of Florida. Mr. Chairman, right now our country is facing an energy crisis. I believe that H.R. 4761 is a great first step to freeing our country from the powerful grips of foreign energy reliance. This bill also makes a powerful statement about the value we place on our military by preventing drilling east of the Military Mission Line, thus providing our military with the tools and resources it needs for defense training.

Secretary of Defense, Donald Rumsfeld has said, areas east of the military mission line are ''specially critical to DoD due to the number and diversity of military testing and training activities conducted there now, and those planned for the future.''

I want to thank Chairman POMBO and Congressman YOUNG of Florida for their strong support of this legislation and the military training area that this bill will protect. Continuing to provide adequate training facilities for our military shows not only support for our troops but also sends a message to our enemies that we are serious about winning this war and that our priorities are where they should be.

Ms. SCHAKOWSKY. Mr. Chairman, I rise today in opposition to H.R. 4761, the Domestic Energy Production through Offshore Exploration Act. This shortsighted initiative would feed America's oil addiction while threatening our coasts and eliminating one of our few remaining sources of fossil fuels.

Since President Bush declared that the nation is addicted to oil in his State of the Union speech, the President and the Republican Congress have continued to advance the agenda of their big oil buddies. This legislation would ensure that the nation's increasing energy demand is fed with oil instead of investing in alternative energy sources and promoting efficiency. The United States holds only 2% of the world's remaining oil reserves, while the Persian Gulf states have 60 percent of that oil. Feeding the nation's oil addiction is a threat to the nation's security.

This legislation limits states' abilities to protect their environment and their coastal residents. The energy companies already have access to 80% of our offshore oil and gas reserves. This legislation eliminates a 25-year, bi-partisan moratorium against offshore drilling that protects beaches and sensitive coastal areas. This bill makes it more difficult for states to prevent drilling off their coasts than to allow it, and limits their power to prevent new pipeline construction. It gives the Secretary of the Interior the authority to threaten states with a loss of funding if they pass any law that restricts drilling. In order to reward the oil and gas industry, the Bush Administration and the Republican Congress will make coastal states and their residents pay the price if we pass this legislation.

This bill will not bring down gasoline prices in the near term or ever. Given the average time it takes to produce oil and gas from new wells offshore, no oil and gas would be brought to the market from these new projects until 2013. We have the renewable energy capability and the efficient technology to radically reduce our demand for oil and gas today. By increasing fuel economy standards for passenger cars and light trucks to 33 miles per gallon by 2015, we could eliminate our imports of oil from the Persian Gulf. By spreading alternative fuels and biofuels across the country, we could radically reduce the largest source of our carbon emissions. And renewable energy sources like wind farms could be brought online and produce electricity in as little time as one year.

This bill will add tens of billions of dollars to our record deficit by subsidizing the same oil and gas companies that are reporting record profits. Already, every man, woman and child in this country bares the burden of $30,000 of our current deficit. Now, this bill would allow oil and gas companies to pay billions of dollars less in royalty relief, compensates oil companies for any delays in their drilling projects with taxpayer money, and allows the Congress to divert revenue for new drilling projects. Oil companies should drill at their own expense, not taxpayer expense, and the federal government should vigilantly regulate all drilling projects.

I urge all members to oppose this budget-busting, polluting legislation and encourage Congress to fight America's oil addiction rather than feed it.

Mr. KIND. Mr. Chairman, I rise today in support of H.R. 4761 to diversify our nation's domestic energy production. In the face of volatile natural gas markets that are forcing our industries and jobs overseas, we must begin drawing on the clean reliable fuel source that lies far off our nations coasts while preserving states rights to manage their nearshore waters.

For years I, along with many of my colleagues, have been calling for a more clean alternative energy supplies for our nation and this bill heeds that call. Our nation is currently generating half its electricity by burning coal. In the midwest alone, we have an astounding five-hundred individual coal burning power plants. According to the department of energy, nearly half of these plants are burning low grade, so called, sub-bituminous coal.

This enormous dependence on coal is not environmentally responsible. In 2005, the United States produced more than 7 times more $CO_2$ from coal than from natural gas emits far fewer particulates and climate changing gases compared to coal and is much cleaner to produce domestically, yet our nation continues to rely on coal. This bill will begin to reverse the longstnding habit.

Developing a domestic supply of natural gas is also critical to the industries that produce the jobs and products our nation needs. The volatility in the gas market makes it difficult for our companies to compete which drives job losses, a sting we have felt in my district in western Wisconsin. We can bring stability to these markets through domestic gas production and keep those middle-class jobs at home where they belong.

Our nation still needs a comprehensive energy policy and this bill is only a small piece of what must eventually be a 21st century strategy for clean domestic energy from a variety of sources. We must replace middle east oil with midwest grain and other 'home grown' alternatives and that includes the clean natural gas that would be produced under this bill. I urge my colleagues to support H.R. 4761.

Mr. BOREN. Mr. Chairman, I rise today to join my colleagues in support of the Deep Ocean Energy Resources Act.

I support this act for a multitude of reasons; however, I want to briefly talk about how this legislation is important to non-coastal states like mine.

Mr. Chairman, many people may question why a piece of legislation that opens the Outer

Continental Shelf should matter to states like Oklahoma.

Well, I am here to say that it is vitally important. It's important to the farmers of America's Heartland.

This bill will bring relief to the farmers who have seen their costs for fuel and crop inputs rise significantly over the last several years by increasing natural gas supplies.

The farmers and ranchers of America know all too well that natural gas is an important feedstock for the nitrogen fertilizers that are used on virtually every crop produced in this country.

Mr. Chairman, we can even take the farmers out of the equation and this legislation is still important to our nation.

Producing more natural gas will mean that we can reduce the cost of utilities for the nation's working families.

Finally, I want to call attention to the fact that natural gas is a clean source of energy. It is clean from its utilization as a fuel to the processes that are used produce it. In recent years, the technologies in the industry have dramatically improved leaving us with everything from cleaner diesel fuel to smaller footprints after drilling has ceased.

Mr. Chairman, this is our chance to help lower costs, create jobs, and even increase production of an environmentally-friendly domestic fuel source.

For these reasons, I urge my colleagues to support H.R 4761.

Mr. HERGER. Mr. Chairman, if gasoline prices are bad, natural gas prices are even worse. The price of this fuel has tripled over the last six years. This dramatic increase is hurting my constituents in Northern California who rely on natural gas for heating and lighting. Farmers who use natural gas for crop drying, irrigation, and fertilizer production are also getting squeezed. Yet while prices climb to record levels, Washington has essentially made it impossible for states to provide any relief.

H.R. 4761 changes that. This bipartisan compromise gives the states the power to decide how to utilize America's ocean energy resources. It's a common sense plan for affordable energy, new jobs, and environmental protection. I commend Chairman POMBO and urge my colleagues to support this bill.

Mr. DINGELL. Mr. Chairman, regrettably, I rise in opposition to this legislation. I say regrettably because I really would like to support increased domestic production of hydrocarbons. Like all my other colleagues, over this past winter, my office was inundated with pleas for help from constituents with through-the-roof home heating bills. Unfortunately, I expect the same next winter.

You see, Mr. Chairman, I just fundamentally believe that the waters we are talking about are federal waters. And that the revenue from leasing activities should go to the Federal Treasury for the betterment of the Nation. While I might agree to sharing some of the revenue with the states, I simply cannot in good conscience support giving them 50 to 75 percent—or as is in the manager's amendment 42.5 percent to 75 percent. These revenues go to funding some of our most important programs throughout the country, including in my home state of Michigan. The Minerals Management Services estimated, prior to the manager's amendment, that this revenue sharing will cost the Federal Treasury $69 billion over the next 15 years. While the new period over which this is phased in has lengthened, the net cost is still much the same. In this era of ever increasing deficits, we simply cannot afford to lose that revenue.

As the author of the National Environmental Policy Act, I am also troubled by a provision that would exempt leases sales from the analysis and public process required by NEPA.

In short, Mr. Chairman, I would like to see more energy production in the Outer Continental Shelf. However, there is a right way and a wrong way to achieve this. Unfortunately, the bill we are considering today is the wrong way.

Mr. GOODLATTE. Mr. Chairman, my friends, I rise in support of H.R. 4761, the Domestic Energy Production Through Offshore Exploration Act of 2006.

In 1981, Congress enacted a ban on energy exploration covering more than 85 percent of the U.S. outer continental shelf. At the time, U.S. natural gas prices were the lowest in the industrialized world.

Today, U.S. Natural gas prices are the highest in the industrialized world. Prices for natural gas continue to increase, while the government continues to promote new natural gas consumption.

To balance the market, we need to invest in efficient, alternative energy. Additionally, we need to increase access to new energy supply sources, like ethanol and hydrogen, to keep pace with new and growing demands.

The high cost of natural gas and oil has a major impact on both the farm and forest sectors.

Paper mills, a major employer in my district, are very energy intensive. Energy costs account for 18 percent of the cost of operating a mill, almost eclipsing costs for employee compensation. The effects of higher energy prices have been dramatic. Over 232 paper mills have closed and 182,000 jobs lost since 2000 when energy prices started their steep ascent.

For farmers, higher natural gas prices mean higher costs for fertilizers. According to the USDA, average fertilizer prices in March 2006 stood 74 percent higher than the 1990–92 levels, nearly approaching all-time records. The high cost of oil has also greatly effected farmers and ranchers. Unlike many businesses, farmers and ranchers cannot pass on the extra costs to their customers and must absorb rising costs themselves.

H.R. 4761 addresses the supply piece of the puzzle to help bring natural gas and oil prices down. We can no longer continue to ban access to large sources of supply, while we continue to encourage innovation and advancement in all areas of industry, education, and technology.

This bill allows the Federal government to begin the process of developing these important resources throughout the outer continental shelf.

The bill's provisions are essential to ensuring a more cost efficient source of natural gas and oil. The benefits of efficient and cost-effective energy are not limited to one single industry, but extend to businesses, farmers, consumers, and communities. We find ourselves for the first time in a quarter century acknowledging that we as a Congress can no longer continue to promote natural gas and oil consumption and, at the same time, prohibit more production. I urge my colleagues to vote. ''yes'' on H.R. 4761.

Mr. WELDON of Florida. Mr. Chairman, I rise in support of the bill and thank you for working with Members of Florida's Congressional delegation to try and address our concerns. The residents of Florida and much of the Nation are facing significant increases in energy costs—gas to electricity bills—due to the increases in global demand and our Nation's increasing reliance on foreign sources of energy. Yet for Florida, our beaches are important for tourism and it is important that we offer some protections along our coast. I believe the bill before us reaches a good balance. It offers good protections while enabling responsible exploration for natural gas and oil.

Mr. Chairman, if we in this body and as a Nation are really serious about energy independence and its related national security implications, we must allow greater drilling for natural gas and oil in our Outer Continental Shelf. To do otherwise is to deny reality and live in a dream world. This bill takes a significant step to reduce our reliance on foreign oil and natural gas.

Some have made baseless claims that allowing natural gas wells or oil wells within the Outer Continental Shelf (OCS) will do little to address the energy costs in the United States. This claim simply is not based on sound economics. Over the past decade both in the state of Florida and across the Nation, there has been a dramatic increase in the use of natural gas for electric power generation. This switch was a quick and cost-effective way for power companies to reduce greenhouse gas emissions. According to a 2005 report from the Florida Public Service Commission (FPSC), in 2003, 26 percent of Florida's electric power was generated using natural gas. By 2013, just 7 years from now, the FPSC projects that over 50 percent of Florida's electric power will be generated using natural gas. The U.S. already pays the highest price in the world for natural gas, and it will only rise further if we fail to tap our own natural gas resources along the OCS.

Yet today we are increasingly importing natural gas from not only Canada and Mexico, but Trinidad, Qatar, Nigeria, Oman, Egypt, and Algeria. This increasing reliance on natural gas from Middle Eastern or unstable countries will further threaten our Nation's economic vitality and energy independence. This is the wrong path, particularly when we have untapped natural gas along our Nation's Outer Continental Shelf.

The U.S. Department of Energy reports that the cost of natural gas for electric power generation increased 300 percent between 2000 and 2005. Absent a new, larger and reliable supply of reasonably priced natural gas, Florida residents—many of them senior citizens on fixed incomes—will face dramatic increases in monthly power bills over the next 7 years. Passage of the bill before, us will enable Florida to secure a long-term supply of natural gas and help keep power bills in check.

The bill before us allows drilling for oil and natural gas 100 miles or more offshore. Between 50 and 100 miles the state legislature is given 1 year to withdraw this area from natural gas wells and 3 years to withdraw this area from oil wells. The coastal areas between the shoreline out 50 miles are presumed to be under moratorium unless the state legislature specifically authorizes either natural gas wells or oil drilling within that area. The bill also provides for some revenue sharing with the states

that permit natural gas and oil recovery, allowing billions of dollars to be shared with the states to meet participating states' needs.

I trust the state legislature and the Governor of Florida to make the right decisions about our coastlines and potential natural gas and oil exploration. That is what this bill does. It ensures that the state elected officials . . .

Finally, to those, particularly in Florida who would say we should reject this legislation, I think it is important to consider the sizable shift in recent votes the House and Senate have had on the issue of off-shore drilling. When one considers the shift of 76 votes between the vote we held on this issue last year and the vote held last month, this bill before us today is likely the best deal Florida is going to get. A year ago, Senators NELSON and MARTINEZ could muster only 44 votes in their attempt to strip off-shore drilling out of the energy bill. I'm sure that, as in the House, there is a growing consensus in the Senate to allow drilling in our Nation's Outer Continental Shelf, including Florida's coast.

It is also important to note that there are currently areas off of Florida's East coast that have less protection than what is offered in this bill. Those areas will receive greater protection under this bill that they have under current law.

Finally, I would say that Cuba and China are proposing a joint venture to drill for gas of the northern coast of Cuba—45 miles from the Florida shoreline. To stand idly by and watch the Communist Cuban government and China drill within 45 miles of Florida's coast—perhaps extracting gas that is in U.S. territorial waters—is absurd.

Given the realities of our needs, the national security concerns associated with continued reliance on Middle Eastern oil and legislative realities, I believe it is important that we move forward with this bill today.

Let's vote for the underlying bill.

Mr. POE. Mr. Chairman, I rise in strong support of the Deep Ocean Energy Resources (DOER) Act, H.R. 4761.

The United States must be more self-sufficient when it comes to energy. The United States imports 60 percent of its crude oil from foreign countries even though there are large quantities of oil and natural gas available in the Outer Continental Shelf (OCS). However, these valuable resources are wrapped up in red tape and are off-limits to energy exploration. The United States is the only developed nation that limits access to their own natural resources. Other nations are willing to drill close to their own shores. Canada drills in the Great Lakes. Ireland, Norway, United Kingdom, Australia and New Zealand all drill within 50 miles of their own coastline. The Netherlands drills 20 miles off their shoes and Scotland drills 10 miles off their coast.

One part of the OCS, the Gulf of Mexico, is responsible for one-third of the domestic oil production and 20 percent of the domestic natural gas production. However, as we saw from Hurricanes Katrina and Rita, these areas can be subject to supply disruption. It is imperative that the United States begin drilling in other parts outside of the Gulf. There is a wide range of areas where we can drill. While the United States drills off my home State of Texas and Louisiana; there is crude oil still available in the eastern parts of the Gulf of Mexico, on the east coast and, yes, even off the sacred coast of California. It is vital that we think and consider drilling in these areas.

Since the 1980s, Congress has been placing appropriations moratoriums on drilling in about 90 percent of the Outer Continental Shelf placing them off limit to any energy development. All the people in non-drilling coastal States want cheap gasoline and natural gas, but they do not drill in their neighborhood. They want Texas and Louisiana to keep drilling in our neighborhood. We cannot have it both ways; cheap gasoline and refuse to drill offshore. We must do everything in our power to expand energy exploration in the OCS.

Limiting our ability to explore for energy is hypocritical. It does not make sense. In this Outer Continental Shelf, there are about 300 trillion cubic feet of natural gas and more than 50 billion barrels of oil yet to be discovered, that is enough oil or natural gas to: replace current imports from the Persian Gulf for 60 years and produce sufficient natural gas to heat 75 million homes for 60 years; produce gasoline for 116 million cars and heating oil for 47 million homes for 15 years; produce sufficient natural gas to heat 75 million homes for 60 years.

The DOER Act is an important bill as it grants states the power to control the OCS area off their coasts and still allow energy exploration. States will now have the ability to control drilling rights up to 100 miles off their coast. Current law only gives them authority up to 3 miles. Additionally, the DOER Act will allow states to share in the leasing royalties that occur in those areas that States now control.

This will help to encourage more states to participate in energy exploration as they will now share in the benefits from leasing rights. For my State of Texas, we have long held the belief that drilling can be done in a responsible and environmentally safe way. Now, Texas will be able to share in those leasing royalties that in the past have been exclusively limited to the federal government. These funds can be used by Texas to offset the cost of Rita, fund education for Katrina refugees or other important programs for the State.

It is for these reasons that I support and am a proud cosponsor for H.R. 4761. If we want to reduce energy prices, we need to explore for energy. This is a good bill that will allow for further exploration and reward states that allow for that exploration. I encourage my colleagues to support this important piece of legislation.

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

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

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

*H.R. 4761*

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

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Deep Ocean Energy Resources Act of 2006''.*

***SEC. 2. POLICY.***

*It is the policy of the United States that—*

*(1) the United States is blessed with abundant energy resources on the outer Continental Shelf and has developed a comprehensive framework of environmental laws and regulations and fostered the development of state-of-the-art technology that allows for the responsible development of these resources for the benefit of its citizenry;*

*(2) adjacent States are required by the circumstances to commit significant resources in support of exploration, development, and production activities for mineral resources on the outer Continental Shelf, and it is fair and proper for a portion of the receipts from such activities to be shared with Adjacent States and their local coastal governments;*

*(3) the existing laws governing the leasing and production of the mineral resources of the outer Continental Shelf have reduced the production of mineral resources, have preempted Adjacent States from being sufficiently involved in the decisions regarding the allowance of mineral resource development, and have been harmful to the national interest;*

*(4) the national interest is served by granting the Adjacent States more options related to whether or not mineral leasing should occur in the outer Continental Shelf within their Adjacent Zones;*

*(5) it is not reasonably foreseeable that exploration of a leased tract located more than 25 miles seaward of the coastline, development and production of a natural gas discovery located more than 25 miles seaward of the coastline, or development and production of an oil discovery located more than 50 miles seaward of the coastline will adversely affect resources near the coastline;*

*(6) transportation of oil from a leased tract might reasonably be foreseen, under limited circumstances, to have the potential to adversely affect resources near the coastline if the oil is within 50 miles of the coastline, but such potential to adversely affect such resources is likely no greater, and probably less, than the potential impacts from tanker transportation because tanker spills usually involve large releases of oil over a brief period of time; and*

*(7) among other bodies of inland waters, the Great Lakes, Long Island Sound, Delaware Bay, Chesapeake Bay, Albemarle Sound, San Francisco Bay, and Puget Sound are not part of the outer Continental Shelf, and are not subject to leasing by the Federal Government for the exploration, development, and production of any mineral resources that might lie beneath them.*

***SEC. 3. DEFINITIONS UNDER THE OUTER CONTINENTAL SHELF LANDS ACT.***

*Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended—*

*(1) by amending paragraph (f) to read as follows:*

*''(f) The term 'affected State' means the Adjacent State.'';*

*(2) by striking the semicolon at the end of each of paragraphs (a) through (o) and inserting a period;*

*(3) by striking ''; and'' at the end of paragraph (p) and inserting a period;*

*(4) by adding at the end the following:*

*''(r) The term 'Adjacent State' means, with respect to any program, plan, lease sale, leased tract or other activity, proposed, conducted, or approved pursuant to the provisions of this Act, any State the laws of which are declared, pursuant to section 4(a)(2), to be the law of the United States for the portion of the outer Continental Shelf on which such program, plan, lease sale, leased tract or activity appertains or is, or is proposed to be, conducted. For purposes of this paragraph, the term 'State' includes Puerto Rico and the other Territories of the United States.*

*''(s) The term 'Adjacent Zone' means, with respect to any program, plan, lease sale, leased tract, or other activity, proposed, conducted, or approved pursuant to the provisions of this Act, the portion of the outer Continental Shelf for which the laws of a particular Adjacent State are declared, pursuant to section 4(a)(2), to be the law of the United States.*

''(t) The term 'miles' means statute miles.

''(u) The term 'coastline' has the same meaning as the term 'coast line' as defined in section 2(c) of the Submerged Lands Act (43 U.S.C. 1301(c)).

''(v) The term 'Neighboring State' means a coastal State having a common boundary at the coastline with the Adjacent State.''; and

(5) in paragraph (a), by inserting after ''control'' the following: ''or lying within the United States exclusive economic zone adjacent to the Territories of the United States''.

**SEC. 4. DETERMINATION OF ADJACENT ZONES AND PLANNING AREAS.**

Section 4(a)(2)(A) of the Outer Continental Shelf Lands Act (43 U.S.C. 1333(a)(2)(A)) is amended in the first sentence by striking '', and the President'' and all that follows through the end of the sentence and inserting the following: ''. The lines extending seaward and defining each State's Adjacent Zone, and each OCS Planning Area, are as indicated on the maps for each outer Continental Shelf region entitled 'Alaska OCS Region State Adjacent Zone and OCS Planning Areas', 'Pacific OCS Region State Adjacent Zones and OCS Planning Areas', 'Gulf of Mexico OCS Region State Adjacent Zones and OCS Planning Areas', and 'Atlantic OCS Region State Adjacent Zones and OCS Planning Areas', all of which are dated September 2005 and on file in the Office of the Director, Minerals Management Service.''.

**SEC. 5. ADMINISTRATION OF LEASING.**

Section 5 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334) is amended by adding at the end the following:

''(k) VOLUNTARY PARTIAL RELINQUISHMENT OF A LEASE.—Any lessee of a producing lease may relinquish to the Secretary any portion of a lease that the lessee has no interest in producing and that the Secretary finds is geologically prospective. In return for any such relinquishment, the Secretary shall provide to the lessee a royalty incentive for the portion of the lease retained by the lessee, in accordance with regulations promulgated by the Secretary to carry out this subsection. The Secretary shall publish final regulations implementing this subsection within 365 days after the date of the enactment of the Deep Ocean Energy Resources Act of 2006.

''(l) NATURAL GAS LEASE REGULATIONS.—Not later than July 1, 2007, the Secretary shall publish a final regulation that shall—

''(1) establish procedures for entering into natural gas leases;

''(2) ensure that natural gas leases are only available for tracts on the outer Continental Shelf that are wholly within 100 miles of the coastline within an area withdrawn from disposition by leasing on the day after the date of enactment of the Deep Ocean Energy Resources Act of 2006;

''(3) provide that natural gas leases shall contain the same rights and obligations established for oil and gas leases, except as otherwise provided in the Deep Ocean Energy Resources Act of 2006;

''(4) provide that, in reviewing the adequacy of bids for natural gas leases, the value of any crude oil estimated to be contained within any tract shall be excluded;

''(5) provide that any crude oil produced from a well and reinjected into the leased tract shall not be subject to payment of royalty, and that the Secretary shall consider, in setting the royalty rates for a natural gas lease, the additional cost to the lessee of not producing any crude oil; and

''(6) provide that any Federal law that applies to an oil and gas lease on the outer Continental Shelf shall apply to a natural gas lease unless otherwise clearly inapplicable.''.

**SEC. 6. GRANT OF LEASES BY SECRETARY.**

Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended—

(1) in subsection (a)(1) by inserting after the first sentence the following: ''Further, the Secretary may grant natural gas leases in a manner similar to the granting of oil and gas leases and under the various bidding systems available for oil and gas leases.'';

(2) by adding at the end of subsection (b) the following:

''The Secretary may issue more than one lease for a given tract if each lease applies to a separate and distinct range of vertical depths, horizontal surface area, or a combination of the two. The Secretary may issue regulations that the Secretary determines are necessary to manage such leases consistent with the purposes of this Act.'';

(3) by amending subsection (p)(2)(B) to read as follows:

''(B) The Secretary shall provide for the payment to coastal states, and their local coastal governments, of 75 percent of Federal receipts from projects authorized under this section located partially or completely within the area extending seaward of State submerged lands out to 4 marine leagues from the coastline, and the payment to coastal states of 50 percent of the receipts from projects completely located in the area more than 4 marine leagues from the coastline. Payments shall be based on a formula established by the Secretary by rulemaking no later than 180 days after the date of the enactment of the Deep Ocean Energy Resources Act of 2006 that provides for equitable distribution, based on proximity to the project, among coastal states that have coastline that is located within 200 miles of the geographic center of the project.''.

(4) by adding at the end the following:

''(q) NATURAL GAS LEASES.—

''(1) RIGHT TO PRODUCE NATURAL GAS.—A lessee of a natural gas lease shall have the right to produce the natural gas from a field on a natural gas leased tract if the Secretary estimates that the discovered field has at least 40 percent of the economically recoverable Btu content of the field contained within natural gas and such natural gas is economical to produce.

''(2) CRUDE OIL.—A lessee of a natural gas lease may not produce crude oil from the lease.

''(3) ESTIMATES OF BTU CONTENT.—The Secretary shall make estimates of the natural gas Btu content of discovered fields on a natural gas lease only after the completion of at least one exploration well, the data from which has been tied to the results of a three-dimensional seismic survey of the field. The Secretary may not require the lessee to further delineate any discovered field prior to making such estimates.

''(4) DEFINITION OF NATURAL GAS.—For purposes of a natural gas lease, natural gas means natural gas and all substances produced in association with gas, including, but not limited to, hydrocarbon liquids (other than crude oil) that are obtained by the condensation of hydrocarbon vapors and separate out in liquid form from the produced gas stream.

''(r) REMOVAL OF RESTRICTIONS ON JOINT BIDDING IN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.—Restrictions on joint bidders shall no longer apply to tracts located in the Alaska OCS Region. Such restrictions shall not apply to tracts in other OCS regions determined to be 'frontier tracts' or otherwise 'high cost tracts' under final regulations that shall be published by the Secretary by not later than 365 days after the date of the enactment of the Deep Ocean Energy Resources Act of 2006.

''(s) ROYALTY SUSPENSION PROVISIONS.—The Secretary shall agree to a request by any lessee to amend any lease issued for Central and Western Gulf of Mexico tracts during the period of December 1, 1995, through December 31, 2000, to incorporate price thresholds applicable to royalty suspension provisions, or amend existing price thresholds, in the amount of $40.50 per barrel (2006 dollars) for oil and for natural gas of $6.75 per million Btu (2006 dollars). Any amended lease shall impose the new or revised price thresholds effective October 1, 2005. Existing lease provisions shall prevail through September 30, 2005. After the date of the enactment of the Deep Ocean Energy Resources Act of 2006, price thresholds shall apply to any royalty suspension volumes granted by the Secretary. Unless otherwise set by Secretary by regulation or for a particular lease sale, the price thresholds shall be $40.50 for oil (2006 dollars) and $6.75 for natural gas (2006 dollars).

''(t) ROYALTY RATE FOR OIL AND GAS OR NATURAL GAS LEASES ON THE OUTER CONTINENTAL SHELF.—After the date of the enactment of the Deep Ocean Energy Resources Act of 2006, the base royalty rate for new oil and gas or natural gas leases on the outer Continental Shelf shall be the same for all leased tracts.

''(u) CONSERVATION OF RESOURCES FEES.—

''(1) Not later than one year after the date of the enactment of the Deep Ocean Energy Resources Act of 2006, the Secretary by regulation shall establish a conservation of resources fee for producing leases that will apply to new and existing leases which shall be set at $9 per barrel for oil and $1.25 per million Btu for gas. This fee shall only apply to leases in production located in more than 200 meters of water for which royalties are not being paid when prices exceed $40.50 per barrel for oil and $6.75 per million Btu for natural gas in 2006, dollars. This fee shall apply to production from and after October 1, 2005, and shall be treated as offsetting receipts.

''(2) Not later than one year after the date of the enactment of the Deep Ocean Energy Resources Act of 2006, the Secretary by regulation shall establish a conservation of resources fee for nonproducing leases that will apply to new and existing leases which shall be set at not less than $1.00 nor more than $4.00 per acre per year. This fee shall apply from and after October 1, 2005, and shall be treated as offsetting receipts.'';

(5) by striking subsection (a)(3)(A) and redesignating the subsequent subparagraphs as subparagraphs (A) and (B), respectively;

(6) in subsection (a)(3)(A) (as so redesignated) by striking ''In the Western'' and all that follows through ''the Secretary'' the first place it appears and inserting ''The Secretary''; and

(7) effective October 1, 2006, in subsection (g)—

(A) by striking all after ''(g)'', except paragraph (3);

(B) by striking the last sentence of paragraph (3); and

(C) by striking ''(3)''.

**SEC. 7. DISPOSITION OF RECEIPTS.**

Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended—

(1) by designating the existing text as subsection (a);

(2) in subsection (a) (as so designated) by inserting '', if not paid as otherwise provided in this title'' after ''receipts''; and

(3) by adding the following:

''(b) TREATMENT OF OCS RECEIPTS FROM TRACTS COMPLETELY WITHIN 100 MILES OF THE COASTLINE.—

''(1) DEPOSIT.—The Secretary shall deposit into a separate account in the Treasury the portion of OCS Receipts for each fiscal year that will be shared under paragraphs (2), (3), and (4).

''(2) PHASED-IN RECEIPTS SHARING.—

''(A) Beginning October 1, 2005, the Secretary shall share OCS Receipts derived from the following areas:

''(i) Lease tracts located on portions of the Gulf of Mexico OCS Region completely beyond 4 marine leagues from any coastline and completely within 100 miles of any coastline that are available for leasing under the 2002–2007 5-Year Oil and Gas Leasing Program in effect prior to the date of the enactment of the Deep Ocean Energy Resources Act of 2006.

''(ii) Lease tracts in production prior to October 1, 2005, completely beyond 4 marine leagues from any coastline and completely within 100 miles of any coastline located on portions of the

*OCS that were not available for leasing under the 2002–2007 5-Year OCS Oil and Gas Leasing Program in effect prior to the date of the enactment of the Deep Ocean Energy Resources Act of 2006.*

*''(iii) Lease tracts for which leases are issued prior to October 1, 2005, located in the Alaska OCS Region completely beyond 4 marine leagues from any coastline and completely within 100 miles of the coastline.*

*''(B) The Secretary shall share the following percentages of OCS Receipts from the leases described in subparagraph (A) derived during the fiscal year indicated:*

*''(i) For fiscal year 2006, 6.0 percent.*

*''(ii) For fiscal year 2007, 7.0 percent.*

*''(iii) For fiscal year 2008, 8.0 percent.*

*''(iv) For fiscal year 2009, 9.0 percent.*

*''(v) For fiscal year 2010, 12.0 percent.*

*''(vi) For fiscal year 2011, 15.0 percent.*

*''(vii) For fiscal year 2012, 18.0 percent.*

*''(viii) For fiscal year 2013, 21.0 percent.*

*''(ix) For fiscal year 2014, 24.0 percent.*

*''(x) For fiscal year 2015, 27.0 percent.*

*''(xi) For fiscal year 2016, 30.0 percent.*

*''(xii) For fiscal year 2017, 33.0 percent.*

*''(xiii) For fiscal year 2018, 36.0 percent.*

*''(xiv) For fiscal year 2019, 39.0 percent.*

*''(xv) For fiscal year 2020, 42.0 percent.*

*''(xvi) For fiscal year 2021, 45.0 percent.*

*''(xvii) For fiscal year 2022 and each subsequent fiscal year, 50.0 percent.*

*''(C) The provisions of this paragraph shall not apply to leases that could not have been issued but for section 5(k) of this Act or section 6(2) of the Deep Ocean Energy Resources Act of 2006.*

*''(3) IMMEDIATE RECEIPTS SHARING.—Beginning October 1, 2005, the Secretary shall share 50 percent of OCS Receipts derived from all leases located completely beyond 4 marine leagues from any coastline and completely within 100 miles of any coastline not included within the provisions of paragraph (2).*

*''(4) RECEIPTS SHARING FROM TRACTS WITHIN 4 MARINE LEAGUES OF ANY COASTLINE.—Beginning October 1, 2005, the Secretary shall share 75 percent of OCS Receipts derived from all leases located completely or partially within 4 marine leagues from any coastline.*

*''(5) ALLOCATIONS.—The Secretary shall allocate the OCS Receipts deposited into the separate account established by paragraph (1) that are shared under paragraphs (2), (3), and (4) as follows:*

*''(A) BONUS BIDS.—Deposits derived from bonus bids from a leased tract, including interest thereon, shall be allocated at the end of each fiscal year as follows:*

*''(i) 85 percent to the Adjacent State.*

*''(ii) 5 percent into the Treasury, which shall be allocated to the account established by section 14 of the Deep Ocean Energy Resources Act of 2006.*

*''(iii) 5 percent into the account established by section 23 of the Deep Ocean Energy Resources Act of 2006.*

*''(iv) 5 percent into the account established by section 26 of the Deep Ocean Energy Resources Act of 2006.*

*''(B) ROYALTIES.—Deposits derived from royalties from a leased tract, including interest thereon, shall be allocated at the end of each fiscal year as follows:*

*''(i) 85 percent to the Adjacent State and any other producing State or States with a leased tract within its Adjacent Zone within 100 miles of its coastline that generated royalties during the fiscal year, if the other producing or States have a coastline point within 300 miles of any portion of the leased tract, in which case the amount allocated for the leased tract shall be—*

*''(I) one-third to the Adjacent State; and*

*''(II) two-thirds to each producing State, including the Adjacent State, inversely proportional to the distance between the nearest point on the coastline of the producing State and the geographic center of the leased tract.*

*''(ii) 5 percent into the Treasury, which shall be allocated to the account established by section 14 of the Deep Ocean Energy Resources Act of 2006.*

*''(iii) 5 percent into the account established by section 23 of the Deep Ocean Energy Resources Act of 2006.*

*''(iv) 5 percent into the account established by section 26 of the Deep Ocean Energy Resources Act of 2006.*

*''(c) TREATMENT OF OCS RECEIPTS FROM TRACTS PARTIALLY OR COMPLETELY BEYOND 100 MILES OF THE COASTLINE.—*

*''(1) DEPOSIT.—The Secretary shall deposit into a separate account in the Treasury the portion of OCS Receipts for each fiscal year that will be shared under paragraphs (2) and (3).*

*''(2) PHASED-IN RECEIPTS SHARING.—*

*''(A) Beginning October 1, 2005, the Secretary shall share OCS Receipts derived from the following areas:*

*''(i) Lease tracts located on portions of the Gulf of Mexico OCS Region partially or completely beyond 100 miles of any coastline that were available for leasing under the 2002–2007 5-Year Oil and Gas Leasing Program in effect prior to the date of enactment of the Deep Ocean Energy Resources Act of 2006.*

*''(ii) Lease tracts in production prior to October 1, 2005, partially or completely beyond 100 miles of any coastline located on portions of the OCS that were not available for leasing under the 2002–2007 5-Year OCS Oil and Gas Leasing Program in effect prior to the date of enactment of the Deep Ocean Energy Resources Act of 2006.*

*''(iii) Lease tracts for which leases are issued prior to October 1, 2005, located in the Alaska OCS Region partially or completely beyond 100 miles of the coastline.*

*''(B) The Secretary shall share the following percentages of OCS Receipts from the leases described in subparagraph (A) derived during the fiscal year indicated:*

*''(i) For fiscal year 2006, 6.0 percent.*

*''(ii) For fiscal year 2007, 7.0 percent.*

*''(iii) For fiscal year 2008, 8.0 percent.*

*''(iv) For fiscal year 2009, 9.0 percent.*

*''(v) For fiscal year 2010, 12.0 percent.*

*''(vi) For fiscal year 2011, 15.0 percent.*

*''(vii) For fiscal year 2012, 18.0 percent.*

*''(viii) For fiscal year 2013, 21.0 percent.*

*''(ix) For fiscal year 2014, 24.0 percent.*

*''(x) For fiscal year 2015, 27.0 percent.*

*''(xi) For fiscal year 2016, 30.0 percent.*

*''(xii) For fiscal year 2017, 33.0 percent.*

*''(xiii) For fiscal year 2018, 36.0 percent.*

*''(xiv) For fiscal year 2019, 39.0 percent.*

*''(xv) For fiscal year 2020, 42.0 percent.*

*''(xvi) For fiscal year 2021, 45.0 percent.*

*''(xvii) For fiscal year 2022 and each subsequent fiscal year, 50.0 percent.*

*''(C) The provisions of this paragraph shall not apply to leases that could not have been issued but for section 5(k) of this Act or section 6(2) of the Deep Ocean Energy Resources Act of 2006.*

*''(3) IMMEDIATE RECEIPTS SHARING.—Beginning October 1, 2005, the Secretary shall share 50 percent of OCS Receipts derived on and after October 1, 2005, from all leases located partially or completely beyond 100 miles of any coastline not included within the provisions of paragraph (2).*

*''(4) ALLOCATIONS.—The Secretary shall allocate the OCS Receipts deposited into the separate account established by paragraph (1) that are shared under paragraphs (2) and (3) as follows:*

*''(A) BONUS BIDS.—Deposits derived from bonus bids from a leased tract, including interest thereon, shall be allocated at the end of each fiscal year as follows:*

*''(i) 85 percent to the Adjacent State.*

*''(ii) 5 percent into the Treasury, which shall be allocated to the account established by section 14 of the Deep Ocean Energy Resources Act of 2006.*

*''(iii) 5 percent into the account established by section 23 of the Deep Ocean Energy Resources Act of 2006.*

*''(iv) 5 percent into the account established by section 26 of the Deep Ocean Energy Resources Act of 2006.*

*''(B) ROYALTIES.—Deposits derived from royalties from a leased tract, including interest thereon, shall be allocated at the end of each fiscal year as follows:*

*''(i) 85 percent to the Adjacent State and any other producing State or States with a leased tract within its Adjacent Zone partially or completely beyond 100 miles of its coastline that generated royalties during the fiscal year, if the other producing State or States have a coastline point within 300 miles of any portion of the leased tract, in which case the amount allocated for the leased tract shall be—*

*''(I) one-third to the Adjacent State; and*

*''(II) two-thirds to each producing State, including the Adjacent State, inversely proportional to the distance between the nearest point on the coastline of the producing State and the geographic center of the leased tract.*

*''(ii) 5 percent into the account established by section 14 of the Deep Ocean Energy Resources Act of 2006.*

*''(iii) 5 percent into the account established by section 23 of the Deep Ocean Energy Resources Act of 2006.*

*''(iv) 5 percent into the account established by section 26 of the Deep Ocean Energy Resources Act of 2006.*

*''(d) TRANSMISSION OF ALLOCATIONS.—*

*''(1) IN GENERAL.—Not later than 90 days after the end of each fiscal year, the Secretary shall transmit—*

*''(A) to each State 60 percent of such State's allocations under subsections (b)(5)(A)(i), (b)(5)(B)(i), (c)(4)(A)(i), and (c)(4)(B)(i) for the immediate prior fiscal year;*

*''(B) to coastal county-equivalent and municipal political subdivisions of such State a total of 40 percent of such State's allocations under subsections (b)(5)(A)(i), (b)(5)(B)(i), (c)(4)(A)(i), and (c)(4)(B)(i), together with all accrued interest thereon; and*

*''(C) the remaining allocations under subsections (b)(5) and (c)(4), together with all accrued interest thereon.*

*''(2) ALLOCATIONS TO COASTAL COUNTY-EQUIVALENT POLITICAL SUBDIVISIONS.—The Secretary shall make an initial allocation of the OCS Receipts to be shared under paragraph (1)(B) as follows:*

*''(A) 25 percent shall be allocated to coastal county-equivalent political subdivisions that are completely more than 25 miles landward of the coastline and at least a part of which lies not more than 75 miles landward from the coastline, with the allocation among such coastal county-equivalent political subdivisions based on population.*

*''(B) 75 percent shall be allocated to coastal county-equivalent political subdivisions that are completely or partially less than 25 miles landward of the coastline, with the allocation among such coastal county-equivalent political subdivisions to be further allocated as follows:*

*''(i) 25 percent shall be allocated based on the ratio of such coastal county-equivalent political subdivision's population to the coastal population of all coastal county-equivalent political subdivisions in the State.*

*''(ii) 25 percent shall be allocated based on the ratio of such coastal county-equivalent political subdivision's coastline miles to the coastline miles of all coastal county-equivalent political subdivisions in the State as calculated by the Secretary. In such calculations, coastal county-equivalent political subdivisions without a coastline shall be considered to have 50 percent of the average coastline miles of the coastal county-equivalent political subdivisions that do have coastlines.*

*''(iii) 25 percent shall be allocated to all coastal county-equivalent political subdivisions having a coastline point within 300 miles of the*

*leased tract for which OCS Receipts are being shared based on a formula that allocates the funds based on such coastal county-equivalent political subdivision's relative distance from the leased tract.*

*''(iv) 25 percent shall be allocated to all coastal county-equivalent political subdivisions having a coastline point within 300 miles of the leased tract for which OCS Receipts are being shared based on the relative level of outer Continental Shelf oil and gas activities in a coastal political subdivision compared to the level of outer Continental Shelf activities in all coastal political subdivisions in the State. The Secretary shall define the term 'outer Continental Shelf oil and gas activities' for purposes of this subparagraph to include, but not be limited to, construction of vessels, drillships, and platforms involved in exploration, production, and development on the outer Continental Shelf; support and supply bases, ports, and related activities; offices of geologists, geophysicists, engineers, and other professionals involved in support of exploration, production, and development of oil and gas on the outer Continental Shelf; pipelines and other means of transporting oil and gas production from the outer Continental Shelf; and processing and refining of oil and gas production from the outer Continental Shelf. For purposes of this subparagraph, if a coastal county-equivalent political subdivision does not have a coastline, its coastal point shall be the point on the coastline closest to it.*

*''(3) ALLOCATIONS TO COASTAL MUNICIPAL POLITICAL SUBDIVISIONS.—The initial allocation to each coastal county-equivalent political subdivision under paragraph (2) shall be further allocated to the coastal county-equivalent political subdivision and any coastal municipal political subdivisions located partially or wholly within the boundaries of the coastal county-equivalent political subdivision as follows:*

*''(A) One-third shall be allocated to the coastal county-equivalent political subdivision.*

*''(B) Two-thirds shall be allocated on a per capita basis to the municipal political subdivisions and the county-equivalent political subdivision, with the allocation to the latter based upon its population not included within the boundaries of a municipal political subdivision.*

*''(e) INVESTMENT OF DEPOSITS.—Amounts deposited under this section shall be invested by the Secretary of the Treasury in securities backed by the full faith and credit of the United States having maturities suitable to the needs of the account in which they are deposited and yielding the highest reasonably available interest rates as determined by the Secretary of the Treasury.*

*''(f) USE OF FUNDS.—A recipient of funds under this section may use the funds for one or more of the following:*

*''(1) To reduce in-State college tuition at public institutions of higher learning and otherwise support public education, including career technical education.*

*''(2) To make transportation infrastructure improvements.*

*''(3) To reduce taxes.*

*''(4) To promote, fund, and provide for—*

*''(A) coastal or environmental restoration;*

*''(B) fish, wildlife, and marine life habitat enhancement;*

*''(C) waterways construction and maintenance;*

*''(D) levee construction and maintenance and shore protection; and*

*''(E) marine and oceanographic education and research.*

*''(5) To promote, fund, and provide for —*

*''(A) infrastructure associated with energy production activities conducted on the outer Continental Shelf;*

*''(B) energy demonstration projects;*

*''(C) supporting infrastructure for shore-based energy projects;*

*''(D) State geologic programs, including geologic mapping and data storage programs, and state geophysical data acquisition;*

*''(E) State seismic monitoring programs, including operation of monitoring stations;*

*''(F) development of oil and gas resources through enhanced recovery techniques;*

*''(G) alternative energy development, including bio fuels, coal-to-liquids, oil shale, tar sands, geothermal, geopressure, wind, waves, currents, hydro, and other renewable energy;*

*''(H) energy efficiency and conservation programs; and*

*''(I) front-end engineering and design for facilities that produce liquid fuels from hydrocarbons and other biological matter.*

*''(6) To promote, fund, and provide for—*

*''(A) historic preservation programs and projects;*

*''(B) natural disaster planning and response; and,*

*''(C) hurricane and natural disaster insurance programs.*

*''(7) For any other purpose as determined by State law.*

*''(g) NO ACCOUNTING REQUIRED.—No recipient of funds under this section shall be required to account to the Federal Government for the expenditure of such funds, except as otherwise may be required by law. However, States may enact legislation providing for accounting for and auditing of such expenditures. Further, funds allocated under this section to States and political subdivisions may be used as matching funds for other Federal programs.*

*''(h) EFFECT OF FUTURE LAWS.—Enactment of any future Federal statute that has the effect, as determined by the Secretary, of restricting any Federal agency from spending appropriated funds, or otherwise preventing it from fulfilling its pre-existing responsibilities as of the date of enactment of the statute, unless such responsibilities have been reassigned to another Federal agency by the statute with no prevention of performance, to issue any permit or other approval impacting on the OCS oil and gas leasing program, or any lease issued thereunder, or to implement any provision of this Act shall automatically prohibit any sharing of OCS Receipts under this section directly with the States, and their coastal political subdivisions, for the duration of the restriction. The Secretary shall make the determination of the existence of such restricting effects within 30 days of a petition by any outer Continental Shelf lessee or producing State.*

*''(i) DEFINITIONS.—In this section:*

*''(1) COASTAL COUNTY-EQUIVALENT POLITICAL SUBDIVISION.—The term 'coastal county-equivalent political subdivision' means a political jurisdiction immediately below the level of State government, including a county, parish, borough in Alaska, independent municipality not part of a county, parish, or borough in Alaska, or other equivalent subdivision of a coastal State, that lies within the coastal zone.*

*''(2) COASTAL MUNICIPAL POLITICAL SUBDIVISION.—The term 'coastal municipal political subdivision' means a municipality located within and part of a county, parish, borough in Alaska, or other equivalent subdivision of a State, all or part of which coastal municipal political subdivision lies within the coastal zone.*

*''(3) COASTAL POPULATION.—The term 'coastal population' means the population of all coastal county-equivalent political subdivisions, as determined by the most recent official data of the Census Bureau.*

*''(4) COASTAL ZONE.—The term 'coastal zone' means that portion of a coastal State, including the entire territory of any coastal county-equivalent political subdivision at least a part of which lies, within 75 miles landward from the coastline, or a greater distance as determined by State law enacted to implement this section.*

*''(5) BONUS BIDS.—The term 'bonus bids' means all funds received by the Secretary to issue an outer Continental Shelf minerals lease.*

*''(6) ROYALTIES.—The term 'royalties' means all funds received by the Secretary from production of oil or natural gas, or the sale of production taken in-kind, from an outer Continental Shelf minerals lease.*

*''(7) PRODUCING STATE.—The term 'producing State' means an Adjacent State having an Adjacent Zone containing leased tracts from which OCS Receipts were derived.*

*''(8) OCS RECEIPTS.—The term 'OCS Receipts' means bonus bids, royalties, and conservation of resources fees.''.*

***SEC. 8. REVIEW OF OUTER CONTINENTAL SHELF EXPLORATION PLANS.***

*Subsections (c) and (d) of section 11 of the Outer Continental Shelf Lands Act (43 U.S.C. 1340) are amended to read as follows:*

*''(c) PLAN REVIEW; PLAN PROVISIONS.—*

*''(1) Except as otherwise provided in this Act, prior to commencing exploration pursuant to any oil and gas lease issued or maintained under this Act, the holder thereof shall submit an exploration plan (hereinafter in this section referred to as a 'plan') to the Secretary for review which shall include all information and documentation required under paragraphs (2) and (3). The Secretary shall review the plan for completeness within 10 days of submission. If the Secretary finds that the plan is not complete, the Secretary shall notify the lessee with a detailed explanation and require such modifications of such plan as are necessary to achieve completeness. The Secretary shall have 10 days to review a modified plan for completeness. Such plan may apply to more than one lease held by a lessee in any one region of the outer Continental Shelf, or by a group of lessees acting under a unitization, pooling, or drilling agreement, and the lessee shall certify that such plan is consistent with the terms of the lease and is consistent with all statutory and regulatory requirements in effect on the date of issuance of the lease, and any regulations promulgated under this Act to the conservation of resources after the date of the lease issuances. The Secretary shall have 30 days from the date the plan is deemed complete to conduct a review of the plan. If the Secretary finds the plan is not consistent with the lease and all such statutory and regulatory requirements, the Secretary shall notify the lessee with a detailed explanation of such modifications of such plan as are necessary to achieve compliance. The Secretary shall have 30 days to review any modified plan submitted by the lessee. The lessee shall not take any action under the exploration plan within the 30-day review period, or thereafter until the plan has been modified to achieve compliance as so notified.*

*''(2) An exploration plan submitted under this subsection shall include, in the degree of detail which the Secretary may by regulation require—*

*''(A) a schedule of anticipated exploration activities to be undertaken;*

*''(B) a description of equipment to be used for such activities;*

*''(C) the general location of each well to be drilled; and*

*''(D) such other information deemed pertinent by the Secretary.*

*''(3) The Secretary may, by regulation, require that such plan be accompanied by a general statement of development and production intentions which shall be for planning purposes only and which shall not be binding on any party.*

*''(d) PLAN REVISIONS; CONDUCT OF EXPLORATION ACTIVITIES.—*

*''(1) If a significant revision of an exploration plan under this subsection is submitted to the Secretary, the process to be used for the review of such revision shall be the same as set forth in subsection (c) of this section.*

*''(2) All exploration activities pursuant to any lease shall be conducted in accordance with an exploration plan or a revised plan which has been submitted to and reviewed by the Secretary.''.*

***SEC. 9. RESERVATION OF LANDS AND RIGHTS.***

*Section 12 of the Outer Continental Shelf Lands Act (43 U.S.C. 1341) is amended—*

*(1) in subsection (a) by adding at the end the following: ''The President may partially or completely revise or revoke any prior withdrawal made by the President under the authority of this section. The President may not revise or revoke a withdrawal that was initiated by a petition from a State and approved by the Secretary of the Interior under subsection (h). A withdrawal by the President may be for a term not to exceed 10 years. When considering potential uses of the outer Continental Shelf, to the maximum extent possible, the President shall accommodate competing interests and potential uses.'';*

*(2) by adding at the end the following:*

*''(g) AVAILABILITY FOR LEASING WITHIN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.—*

*''(1) PROHIBITION AGAINST LEASING.—*

*''(A) UNAVAILABLE FOR LEASING WITHOUT STATE REQUEST.—Except as otherwise provided in this subsection, from and after enactment of the Deep Ocean Energy Resources Act of 2006, the Secretary shall not offer for leasing for oil and gas, or natural gas, any area within 50 miles of the coastline that was withdrawn from disposition by leasing in the Atlantic OCS Region or the Pacific OCS Region, or the Gulf of Mexico OCS Region Eastern Planning Area, as depicted on the maps referred to in this subparagraph, under the 'Memorandum on Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition', 34 Weekly Comp. Pres. Doc. 1111, dated June 12, 1998, or any area within 50 miles of the coastline not withdrawn under that Memorandum that is included within the Gulf of Mexico OCS Region Eastern Planning Area as indicated on the map entitled 'Gulf of Mexico OCS Region State Adjacent Zones and OCS Planning Areas' or the Florida Straits Planning Area as indicated on the map entitled 'Atlantic OCS Region State Adjacent Zones and OCS Planning Areas', both of which are dated September 2005 and on file in the Office of the Director, Minerals Management Service.*

*''(B) AREAS BETWEEN 50 AND 100 MILES FROM THE COASTLINE.—Unless an Adjacent State petitions under subsection (h) within one year after the date of the enactment of the Deep Ocean Energy Resources Act of 2006 for natural gas leasing or by June 30, 2009, for oil and gas leasing, the Secretary shall offer for leasing any area more than 50 miles but less than 100 miles from the coastline that was withdrawn from disposition by leasing in the Atlantic OCS Region, the Pacific OCS Region, or the Gulf of Mexico OCS Region Eastern Planning Area, as depicted on the maps referred to in this subparagraph, under the 'Memorandum on Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition', 34 Weekly Comp. Pres. Doc. 1111, dated June 12, 1998, or any area more than 50 miles but less than 100 miles of the coastline not withdrawn under that Memorandum that is included within the Gulf of Mexico OCS Region Eastern Planning Area as indicated on the map entitled 'Gulf of Mexico OCS Region State Adjacent Zones and OCS Planning Areas' or within the Florida Straits Planning Area as indicated on the map entitled 'Atlantic OCS Region State Adjacent Zones and OCS Planning Areas', both of which are dated September 2005 and on file in the Office of the Director, Minerals Management Service.*

*''(2) REVOCATION OF WITHDRAWAL.—The provisions of the 'Memorandum on Withdrawal of Certain Areas of the United States Outer Continental Shelf from Leasing Disposition', 34 Weekly Comp. Pres. Doc. 1111, dated June 12, 1998, are hereby revoked and are no longer in effect regarding any areas that are more than 100 miles from the coastline, nor for any areas that are less than 100 miles from the coastline and are included within the Gulf of Mexico OCS Region Central Planning Area as depicted on the map entitled 'Gulf of Mexico OCS Region State Adjacent Zones and OCS Planning Areas' dated September 2005 and on file in the Office of the Director, Minerals Management Service. The 2002–2007 5-Year Outer Continental Shelf Oil and Gas Leasing Program is hereby amended to include the areas added to the Gulf of Mexico OCS Region Central Planning Area by this Act to the extent that such areas were included within the original boundaries of proposed Lease Sale 181. The amendment to such leasing program includes a sale in such additional areas, which shall be held no later than June 30, 2007. The Final Environmental Impact Statement prepared for this area for Lease Sale 181 shall be deemed sufficient for all purposes for each lease sale in which such area is offered for lease during the 2002–2007 5-Year Outer Continental Shelf Oil and Gas Leasing Program without need for supplementation. Any tract only partially added to the Gulf of Mexico OCS Region Central Planning Area by this Act shall be eligible for leasing of the part of such tract that is included within the Gulf of Mexico OCS Region Central Planning Area, and the remainder of such tract that lies outside of the Gulf of Mexico OCS Region Central Planning Area may be developed and produced by the lessee of such partial tract using extended reach or similar drilling from a location on a leased area. Further, any area in the OCS withdrawn from leasing may be leased, and thereafter developed and produced by the lessee using extended reach or similar drilling from a location on a leased area located in an area available for leasing.*

*''(3) PETITION FOR LEASING.—*

*''(A) IN GENERAL.—The Governor of the State, upon concurrence of its legislature, may submit to the Secretary a petition requesting that the Secretary make available any area that is within the State's Adjacent Zone, included within the provisions of paragraph (1), and that (i) is greater than 25 miles from any point on the coastline of a Neighboring State for the conduct of offshore leasing, pre-leasing, and related activities with respect to natural gas leasing; or (ii) is greater than 50 miles from any point on the coastline of a Neighboring State for the conduct of offshore leasing, pre-leasing, and related activities with respect to oil and gas leasing. The Adjacent State may also petition for leasing any other area within its Adjacent Zone if leasing is allowed in the similar area of the Adjacent Zone of the applicable Neighboring State, or if not allowed, if the Neighboring State, acting through its Governor, expresses its concurrence with the petition. The Secretary shall only consider such a petition upon making a finding that leasing is allowed in the similar area of the Adjacent Zone of the applicable Neighboring State or upon receipt of the concurrence of the Neighboring State. The date of receipt by the Secretary of such concurrence by the Neighboring State shall constitute the date of receipt of the petition for that area for which the concurrence applies. Except for any area described in the last sentence of paragraph (2), a petition for leasing any part of the Alabama Adjacent Zone that is a part of the Gulf of Mexico Eastern Planning Area, as indicated on the map entitled 'Gulf of Mexico OCS Region State Adjacent Zones and OCS Planning Areas' which is dated September 2005 and on file in the Office of the Director, Minerals Management Service, shall require the concurrence of both Alabama and Florida.*

*''(B) LIMITATIONS ON LEASING.—In its petition, a State with an Adjacent Zone that contains leased tracts may condition new leasing for oil and gas, or natural gas for tracts within 25 miles of the coastline by—*

*''(i) requiring a net reduction in the number of production platforms;*

*''(ii) requiring a net increase in the average distance of production platforms from the coastline;*

*''(iii) limiting permanent surface occupancy on new leases to areas that are more than 10 miles from the coastline;*

*''(iv) limiting some tracts to being produced from shore or from platforms located on other tracts; or*

*''(v) other conditions that the Adjacent State may deem appropriate as long as the Secretary does not determine that production is made economically or technically impracticable or otherwise impossible.*

*''(C) ACTION BY SECRETARY.—Not later than 90 days after receipt of a petition under subparagraph (A), the Secretary shall approve the petition, unless the Secretary determines that leasing the area would probably cause serious harm or damage to the marine resources of the State's Adjacent Zone. Prior to approving the petition, the Secretary shall complete an environmental assessment that documents the anticipated environmental effects of leasing in the area included within the scope of the petition.*

*''(D) FAILURE TO ACT.—If the Secretary fails to approve or deny a petition in accordance with subparagraph (C) the petition shall be considered to be approved 90 days after receipt of the petition.*

*''(E) AMENDMENT OF THE 5-YEAR LEASING PROGRAM.—Notwithstanding section 18, within 180 days of the approval of a petition under subparagraph (C) or (D), after the expiration of the time limits in paragraph (1)(B), and within 180 days after the enactment of the Deep Ocean Energy Resources Act of 2006 for the areas made available for leasing under paragraph (2), the Secretary shall amend the current 5-Year Outer Continental Shelf Oil and Gas Leasing Program to include a lease sale or sales for at least 75 percent of the associated areas, unless there are, from the date of approval, expiration of such time limits, or enactment, as applicable, fewer than 12 months remaining in the current 5-Year Leasing Program in which case the Secretary shall include the associated areas within lease sales under the next 5-Year Leasing Program. For purposes of amending the 5-Year Program in accordance with this section, further consultations with States shall not be required. For purposes of this section, an environmental assessment performed under the provisions of the National Environmental Policy Act of 1969 to assess the effects of approving the petition shall be sufficient to amend the 5-Year Leasing Program.*

*''(h) OPTION TO PETITION FOR EXTENSION OF WITHDRAWAL FROM LEASING WITHIN CERTAIN AREAS OF THE OUTER CONTINENTAL SHELF.—*

*''(1) IN GENERAL.—The Governor of the State, upon the concurrence of its legislature, may submit to the Secretary petitions requesting that the Secretary extend for a period of time of up to 5 years for each petition the withdrawal from leasing for all or part of any area within the State's Adjacent Zone located more than 50 miles, but less than 100 miles, from the coastline that is subject to subsection (g)(1)(B). A State may petition multiple times for any particular area but not more than once per calendar year for any particular area. A State must submit separate petitions, with separate votes by its legislature, for oil and gas leasing and for natural gas leasing. A petition of a State may request some areas to be withdrawn from all leasing and some areas to be withdrawn only from one type of leasing. Petitions for extending the withdrawal from leasing of any part of the Alabama Adjacent Zone that is more than 50 miles, but less than 100 miles, from the coastline that is a part of the Gulf of Mexico OCS Region Eastern Planning Area, as indicated on the map entitled 'Gulf of Mexico OCS Region State Adjacent Zones and OCS Planning Areas' which is dated September 2005 and on file in the Office of the Director, Minerals Management Service, may be made by either Alabama or Florida.*

*''(2) ACTION BY SECRETARY.—The Secretary shall perform an environmental assessment under the National Environmental Policy Act of 1969 to assess the effects of approving the petition under paragraph (1). Not later than 90 days after receipt of the petition, the Secretary shall*

*approve the petition, unless the Secretary determines that extending the withdrawal from leasing would probably cause serious harm or damage to the marine resources of the State's Adjacent Zone. The Secretary shall not approve a petition from a State that extends the remaining period of a withdrawal of an area from leasing for a total of more than 10 years. However, the Secretary may approve petitions to extend the withdrawal from leasing of any area ad infinitum, subject only to the limitations contained in this subsection.*

*''(3) FAILURE TO ACT.—If the Secretary fails to approve or deny a petition in accordance with paragraph (2) the petition shall be considered to be approved 90 days after receipt of the petition.*

*''(i) EFFECT OF OTHER LAWS.—Adoption by any Adjacent State of any constitutional provision, or enactment of any State statute, that has the effect, as determined by the Secretary, of restricting either the Governor or the Legislature, or both, from exercising full discretion related to subsection (g) or (h), or both, shall automatically (1) prohibit any sharing of OCS Receipts under this Act with the Adjacent State, and its coastal political subdivisions, and (2) prohibit the Adjacent State from exercising any authority under subsection (h), for the duration of the restriction. The Secretary shall make the determination of the existence of such restricting constitutional provision or State statute within 30 days of a petition by any outer Continental Shelf lessee or coastal State.''.*

***SEC. 10. OUTER CONTINENTAL SHELF LEASING PROGRAM.***

*Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended—*

*(1) in subsection (a), by adding at the end of paragraph (3) the following: ''The Secretary shall, in each 5-year program, include lease sales that when viewed as a whole propose to offer for oil and gas or natural gas leasing at least 75 percent of the available unleased acreage within each OCS Planning Area. Available unleased acreage is that portion of the outer Continental Shelf that is not under lease at the time of the proposed lease sale, and has not otherwise been made unavailable for leasing by law.'';*

*(2) in subsection (c), by striking so much as precedes paragraph (3) and inserting the following:*

*''(c)(1) During the preparation of any proposed leasing program under this section, the Secretary shall consider and analyze leasing throughout the entire Outer Continental Shelf without regard to any other law affecting such leasing. During this preparation the Secretary shall invite and consider suggestions from any interested Federal agency, including the Attorney General, in consultation with the Federal Trade Commission, and from the Governor of any coastal State. The Secretary may also invite or consider any suggestions from the executive of any local government in a coastal State that have been previously submitted to the Governor of such State, and from any other person. Further, the Secretary shall consult with the Secretary of Defense regarding military operational needs in the outer Continental Shelf. The Secretary shall work with the Secretary of Defense to resolve any conflicts that might arise regarding offering any area of the outer Continental Shelf for oil and gas or natural gas leasing. If the Secretaries are not able to resolve all such conflicts, any unresolved issues shall be elevated to the President for resolution.*

*''(2) After the consideration and analysis required by paragraph (1), including the consideration of the suggestions received from any interested Federal agency, the Federal Trade Commission, the Governor of any coastal State, any local government of a coastal State, and any other person, the Secretary shall publish in the Federal Register a proposed leasing program accompanied by a draft environmental impact statement prepared pursuant to the National Environmental Policy Act of 1969. After the publishing of the proposed leasing program and during the comment period provided for on the draft environmental impact statement, the Secretary shall submit a copy of the proposed program to the Governor of each affected State for review and comment. The Governor may solicit comments from those executives of local governments in the Governor's State that the Governor, in the discretion of the Governor, determines will be affected by the proposed program. If any comment by such Governor is received by the Secretary at least 15 days prior to submission to the Congress pursuant to paragraph (3) and includes a request for any modification of such proposed program, the Secretary shall reply in writing, granting or denying such request in whole or in part, or granting such request in such modified form as the Secretary considers appropriate, and stating the Secretary's reasons therefor. All such correspondence between the Secretary and the Governor of any affected State, together with any additional information and data relating thereto, shall accompany such proposed program when it is submitted to the Congress.''; and*

*(3) by adding at the end the following:*

*''(i) PROJECTION OF STATE ADJACENT ZONE RESOURCES AND STATE AND LOCAL GOVERNMENT SHARES OF OCS RECEIPTS.—Concurrent with the publication of the scoping notice at the beginning of the development of each 5-year outer Continental Shelf oil and gas leasing program, or as soon thereafter as possible, the Secretary shall—*

*''(1) provide to each Adjacent State a current estimate of proven and potential oil and gas resources located within the State's Adjacent Zone; and*

*''(2) provide to each Adjacent State, and coastal political subdivisions thereof, a best-efforts projection of the OCS Receipts that the Secretary expects will be shared with each Adjacent State, and its coastal political subdivisions, using the assumption that the unleased tracts within the State's Adjacent Zone are fully made available for leasing, including long-term projected OCS Receipts. In addition, the Secretary shall include a macroeconomic estimate of the impact of such leasing on the national economy and each State's economy, including investment, jobs, revenues, personal income, and other categories.''.*

***SEC. 11. COORDINATION WITH ADJACENT STATES.***

*Section 19 of the Outer Continental Shelf Lands Act (43 U.S.C. 1345) is amended—*

*(1) in subsection (a) in the first sentence by inserting '', for any tract located within the Adjacent State's Adjacent Zone,'' after ''government''; and*

*(2) by adding the following:*

*''(f)(1) No Federal agency may permit or otherwise approve, without the concurrence of the Adjacent State, the construction of a crude oil or petroleum products (or both) pipeline within the part of the Adjacent State's Adjacent Zone that is withdrawn from oil and gas or natural gas leasing, except that such a pipeline may be approved, without such Adjacent State's concurrence, to pass through such Adjacent Zone if at least 50 percent of the production projected to be carried by the pipeline within its first 10 years of operation is from areas of the Adjacent State's Adjacent Zone.*

*''(2) No State may prohibit the construction within its Adjacent Zone or its State waters of a natural gas pipeline that will transport natural gas produced from the outer Continental Shelf. However, an Adjacent State may prevent a proposed natural gas pipeline landing location if it proposes two alternate landing locations in the Adjacent State, acceptable to the Adjacent State, located within 50 miles on either side of the proposed landing location.''.*

***SEC. 12. ENVIRONMENTAL STUDIES.***

*Section 20(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1346) is amended—*

*(1) by inserting ''(1)'' after ''(d)''; and*

*(2) by adding at the end the following:*

*''(2) For all programs, lease sales, leases, and actions under this Act, the following shall apply regarding the application of the National Environmental Policy Act of 1969:*

*''(A) Granting or directing lease suspensions and the conduct of all preliminary activities on outer Continental Shelf tracts, including seismic activities, are categorically excluded from the need to prepare either an environmental assessment or an environmental impact statement, and the Secretary shall not be required to analyze whether any exceptions to a categorical exclusion apply for activities conducted under the authority of this Act.*

*''(B) The environmental impact statement developed in support of each 5-year oil and gas leasing program provides the environmental analysis for all lease sales to be conducted under the program and such sales shall not be subject to further environmental analysis.*

*''(C) Exploration plans shall not be subject to any requirement to prepare an environmental impact statement, and the Secretary may find that exploration plans are eligible for categorical exclusion due to the impacts already being considered within an environmental impact statement or due to mitigation measures included within the plan.*

*''(D) Within each OCS Planning Area, after the preparation of the first development and production plan environmental impact statement for a leased tract within the Area, future development and production plans for leased tracts within the Area shall only require the preparation of an environmental assessment unless the most recent development and production plan environmental impact statement within the Area was finalized more than 10 years prior to the date of the approval of the plan, in which case an environmental impact statement shall be required.''.*

***SEC. 13. REVIEW OF OUTER CONTINENTAL SHELF DEVELOPMENT AND PRODUCTION PLANS.***

*Section 25 of the Outer Continental Shelf Lands Act (43 U.S.C. 1351(a)) is amended to read as follows:*

***''SEC. 25. REVIEW OF OUTER CONTINENTAL SHELF DEVELOPMENT AND PRODUCTION PLANS.***

*''(a) DEVELOPMENT AND PRODUCTION PLANS; SUBMISSION TO SECRETARY; STATEMENT OF FACILITIES AND OPERATION; SUBMISSION TO GOVERNORS OF AFFECTED STATES AND LOCAL GOVERNMENTS.—*

*''(1) Prior to development and production pursuant to an oil and gas lease issued on or after September 18, 1978, for any area of the outer Continental Shelf, or issued or maintained prior to September 18, 1978, for any area of the outer Continental Shelf, with respect to which no oil or gas has been discovered in paying quantities prior to September 18, 1978, the lessee shall submit a development and production plan (hereinafter in this section referred to as a 'plan') to the Secretary for review.*

*''(2) A plan shall be accompanied by a statement describing all facilities and operations, other than those on the outer Continental Shelf, proposed by the lessee and known by the lessee (whether or not owned or operated by such lessee) that will be constructed or utilized in the development and production of oil or gas from the lease area, including the location and site of such facilities and operations, the land, labor, material, and energy requirements associated with such facilities and operations, and all environmental and safety safeguards to be implemented.*

*''(3) Except for any privileged or proprietary information (as such term is defined in regulations issued by the Secretary), the Secretary, within 30 days after receipt of a plan and statement, shall—*

''(A) submit such plan and statement to the Governor of any affected State, and upon request to the executive of any affected local government; and

''(B) make such plan and statement available to any appropriate interstate regional entity and the public.

''(b) DEVELOPMENT AND PRODUCTION ACTIVITIES IN ACCORDANCE WITH PLAN AS LEASE REQUIREMENT.—After enactment of the Deep Ocean Energy Resources Act of 2006, no oil and gas lease may be issued pursuant to this Act in any region of the outer Continental Shelf, unless such lease requires that development and production activities be carried out in accordance with a plan that complies with the requirements of this section. This section shall also apply to leases that do not have an approved development and production plan as of the date of enactment of the Deep Ocean Energy Resources Act of 2006.

''(c) SCOPE AND CONTENTS OF PLAN.—A plan may apply to more than one oil and gas lease, and shall set forth, in the degree of detail established by regulations issued by the Secretary—

''(1) the general work to be performed;

''(2) a description of all facilities and operations located on the outer Continental Shelf that are proposed by the lessee or known by the lessee (whether or not owned or operated by such lessee) to be directly related to the proposed development, including the location and size of such facilities and operations, and the land, labor, material, and energy requirements associated with such facilities and operations;

''(3) the environmental safeguards to be implemented on the outer Continental Shelf and how such safeguards are to be implemented;

''(4) all safety standards to be met and how such standards are to be met;

''(5) an expected rate of development and production and a time schedule for performance; and

''(6) such other relevant information as the Secretary may by regulation require.

''(d) COMPLETENESS REVIEW OF THE PLAN.—

''(1) Prior to commencing any activity under a development and production plan pursuant to any oil and gas lease issued or maintained under this Act, the lessee shall certify that the plan is consistent with the terms of the lease and that it is consistent with all statutory and regulatory requirements in effect on the date of issuance of the lease, and any regulations promulgated under this Act related to the conservation of resources after the date of lease issuance. The plan shall include all required information and documentation required under subsection (c).

''(2) The Secretary shall review the plan for completeness within 30 days of submission. If the Secretary finds that the plan is not complete, the Secretary shall notify the lessee with a detailed explanation of such modifications of such plan as are necessary to achieve completeness. The Secretary shall have 30 days to review a modified plan for completeness.

''(e) REVIEW FOR CONSISTENCY OF THE PLAN.—

''(1) After a determination that a plan is complete, the Secretary shall have 120 days to conduct a review of the plan, to ensure that it is consistent with the terms of the lease, and that it is consistent with all such statutory and regulatory requirements applicable to the lease. The review shall ensure that the plan is consistent with lease terms, and statutory and regulatory requirements applicable to the lease, related to national security or national defense, including any military operating stipulations or other restrictions. The Secretary shall seek the assistance of the Department of Defense in the conduct of the review of any plan prepared under this section for a lease containing military operating stipulations or other restrictions and shall accept the assistance of the Department of Defense in the conduct of the review of any plan prepared under this section for any other lease when the Secretary of Defense requests an opportunity to participate in the review. If the Secretary finds that the plan is not consistent, the Secretary shall notify the lessee with a detailed explanation of such modifications of such plan as are necessary to achieve consistency.

''(2) The Secretary shall have 120 days to review a modified plan.

''(3) The lessee shall not conduct any activities under the plan during any 120-day review period, or thereafter until the plan has been modified to achieve compliance as so notified.

''(4) After review by the Secretary provided for by this section, a lessee may operate pursuant to the plan without further review or approval by the Secretary.

''(f) REVIEW OF REVISION OF THE APPROVED PLAN.—The lessee may submit to the Secretary any revision of a plan if the lessee determines that such revision will lead to greater recovery of oil and natural gas, improve the efficiency, safety, and environmental protection of the recovery operation, is the only means available to avoid substantial economic hardship to the lessee, or is otherwise not inconsistent with the provisions of this Act, to the extent such revision is consistent with protection of the human, marine, and coastal environments. The process to be used for the review of any such revision shall be the same as that set forth in subsections (d) and (e).

''(g) CANCELLATION OF LEASE ON FAILURE TO SUBMIT PLAN OR COMPLY WITH A PLAN.—Whenever the owner of any lease fails to submit a plan in accordance with regulations issued under this section, or fails to comply with a plan, the lease may be canceled in accordance with section 5(c) and (d). Termination of a lease because of failure to comply with a plan, including required modifications or revisions, shall not entitle a lessee to any compensation.

''(h) PRODUCTION AND TRANSPORTATION OF NATURAL GAS; SUBMISSION OF PLAN TO FEDERAL ENERGY REGULATORY COMMISSION; IMPACT STATEMENT.—If any development and production plan submitted to the Secretary pursuant to this section provides for the production and transportation of natural gas, the lessee shall contemporaneously submit to the Federal Energy Regulatory Commission that portion of such plan that relates to the facilities for transportation of natural gas. The Secretary and the Federal Energy Regulatory Commission shall agree as to which of them shall prepare an environmental impact statement pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) applicable to such portion of such plan, or conduct studies as to the effect on the environment of implementing it. Thereafter, the findings and recommendations by the agency preparing such environmental impact statement or conducting such studies pursuant to such agreement shall be adopted by the other agency, and such other agency shall not independently prepare another environmental impact statement or duplicate such studies with respect to such portion of such plan, but the Federal Energy Regulatory Commission, in connection with its review of an application for a certificate of public convenience and necessity applicable to such transportation facilities pursuant to section 7 of the Natural Gas Act (15 U.S.C. 717f), may prepare such environmental studies or statement relevant to certification of such transportation facilities as have not been covered by an environmental impact statement or studies prepared by the Secretary. The Secretary, in consultation with the Federal Energy Regulatory Commission, shall promulgate rules to implement this subsection, but the Federal Energy Regulatory Commission shall retain sole authority with respect to rules and procedures applicable to the filing of any application with the Commission and to all aspects of the Commission's review of, and action on, any such application.''.

**SEC. 14. FEDERAL ENERGY NATURAL RESOURCES ENHANCEMENT FUND ACT OF 2006.**

(a) FINDINGS.—The Congress finds the following:

(1) Energy and minerals exploration, development, and production on Federal onshore and offshore lands, including bio-based fuel, natural gas, minerals, oil, geothermal, and power from wind, waves, currents, and thermal energy, involves significant outlays of funds by Federal and State wildlife, fish, and natural resource management agencies for environmental studies, planning, development, monitoring, and management of wildlife, fish, air, water, and other natural resources.

(2) State wildlife, fish, and natural resource management agencies are funded primarily through permit and license fees paid to the States by the general public to hunt and fish, and through Federal excise taxes on equipment used for these activities.

(3) Funds generated from consumptive and recreational uses of wildlife, fish, and other natural resources currently are inadequate to address the natural resources related to energy and minerals development on Federal onshore and offshore lands.

(4) Funds available to Federal agencies responsible for managing Federal onshore and offshore lands and Federal-trust wildlife and fish species and their habitats are inadequate to address the natural resources related to energy and minerals development on Federal onshore and offshore lands.

(5) Receipts derived from sales, bonus bids, and royalties under the mineral leasing laws of the United States are paid to the Treasury through the Minerals Management Service of the Department of the Interior.

(6) None of the receipts derived from sales, bonus bids, and royalties under the minerals leasing laws of the United States are paid to the Federal or State agencies to examine, monitor, and manage wildlife, fish, air, water, and other natural resources related to natural gas, oil, and mineral exploration and development.

(b) PURPOSES.—It is the purpose of this section to—

(1) establish a fund for the monitoring and management of wildlife and fish, and their habitats, and air, water, and other natural resources related to energy and minerals development on Federal onshore and offshore lands;

(2) make available receipts derived from sales, bonus bids, royalties, and fees from onshore and offshore gas, mineral, oil, and any additional form of energy and minerals development under the laws of the United States for the purposes of such fund;

(3) distribute funds from such fund each fiscal year to the Secretary of the Interior and the States; and

(4) use the distributed funds to secure the necessary trained workforce or contractual services to conduct environmental studies, planning, development, monitoring, and post-development management of wildlife and fish and their habitats and air, water, and other natural resources that may be related to bio-based fuel, gas, mineral, oil, wind, or other energy exploration, development, transportation, transmission, and associated activities on Federal onshore and offshore lands, including, but not limited to—

(A) pertinent research, surveys, and environmental analyses conducted to identify any impacts on wildlife, fish, air, water, and other natural resources from energy and mineral exploration, development, production, and transportation or transmission;

(B) projects to maintain, improve, or enhance wildlife and fish populations and their habitats or air, water, or other natural resources, including activities under the Endangered Species Act of 1973;

(C) research, surveys, environmental analyses, and projects that assist in managing, including mitigating either onsite or offsite, or both, the impacts of energy and mineral activities on

*wildlife, fish, air, water, and other natural resources; and*

*(D) projects to teach young people to live off the land.*

*(c) DEFINITIONS.—In this section:*

*(1) ENHANCEMENT FUND.—The term ''Enhancement Fund'' means the Federal Energy Natural Resources Enhancement Fund established by subsection (d).*

*(2) STATE.—The term ''State'' means the Governor of the State.*

*(d) ESTABLISHMENT AND USE OF FEDERAL ENERGY NATURAL RESOURCES ENHANCEMENT FUND.—*

*(1) ENHANCEMENT FUND.—There is established in the Treasury a separate account to be known as the ''Federal Energy Natural Resources Enhancement Fund''.*

*(2) FUNDING.—The Secretary of the Treasury shall deposit in the Enhancement Fund—*

*(A) such sums as are provided by sections 9(b)(5)(A)(ii), 9(b)(5)(B)(ii), 9(c)(4)(A)(ii), and 9(c)(4)(B)(ii) of the Outer Continental Shelf Lands Act, as amended by this Act;*

*(B)(i) during the period of October 1, 2006, through September 30, 2015, one percent of all sums paid into the Treasury under section 35 of the Mineral Leasing Act (30 U.S.C. 191), and*

*(ii) beginning October 1, 2015, and thereafter, 2.5 percent of all sums paid into the Treasury under section 35 of the Mineral Leasing Act (30 U.S.C. 191); and*

*(C)(i) during the period of October 1, 2006, through September 30, 2015, one percent of all sums paid into the Treasury from receipts derived from bonus bids and royalties from other mineral leasing on public lands, and*

*(ii) beginning October 1, 2015, and thereafter, 2.5 percent of all sums paid into the Treasury from receipts derived from bonus bids and royalties from other mineral leasing on public lands.*

*(3) INVESTMENTS.—The Secretary of the Treasury shall invest the amounts deposited under paragraph (2) and all accrued interest on the amounts deposited under paragraph (2) only in interest bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.*

*(4) PAYMENT TO SECRETARY OF THE INTERIOR.—*

*(A) IN GENERAL.—Beginning with fiscal year 2007, and in each fiscal year thereafter, one-third of amounts deposited into the Enhancement Fund, together with the interest thereon, shall be available, without fiscal year limitations, to the Secretary of the Interior for use for the purposes described in (b)(4).*

*(B) WITHDRAWALS AND TRANSFER OF FUNDS.—The Secretary of the Treasury shall withdraw such amounts from the Enhancement Fund as the Secretary of the Interior may request, subject to the limitation in (A), and transfer such amounts to the Secretary of the Interior to be used, at the discretion of the Secretary of the Interior, by the Minerals Management Service, the Bureau of Land Management, and the United States Fish and Wildlife Service for use for the purposes described in subsection (b)(4).*

*(5) PAYMENT TO STATES.—*

*(A) IN GENERAL.—Beginning with fiscal year 2007, and in each fiscal year thereafter, two-thirds of amounts deposited into the Enhancement Fund, together with the interest thereon, shall be available, without fiscal year limitations, to the States for use for the purposes described in (b)(4).*

*(B) WITHDRAWALS AND TRANSFER OF FUNDS.—Within the first 90 days of each fiscal year, the Secretary of the Treasury shall withdraw amounts from the Enhancement Fund and transfer such amounts to the States based on the proportion of all receipts that were collected the previous fiscal year from Federal leases within the boundaries of each State and each State's outer Continental Shelf Adjacent Zone as determined in accordance with section 4(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1333(a)), as amended by this Act.*

*(C) USE OF PAYMENTS BY STATE.—Each State shall use the payments made under subparagraph (B) only for carrying out projects and programs for the purposes described in (b)(4).*

*(D) ENCOURAGE USE OF PRIVATE FUNDS BY STATE.—Each State shall use the payments made under subparagraph (B) to leverage private funds for carrying out projects for the purposes described in (b)(4).*

*(e) LIMITATION ON USE.—Amounts available under this section may not be used for the purchase of any interest in land.*

*(f) REPORTS TO CONGRESS.—*

*(1) IN GENERAL.—Beginning in fiscal year 2008 and continuing for each fiscal year thereafter, the Secretary of the Interior and each State receiving funds from the Enhancement Fund shall submit a report to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.*

*(2) REQUIRED INFORMATION.—Reports submitted to the Congress by the Secretary of the Interior and States under this subsection shall include the following information regarding expenditures during the previous fiscal year:*

*(A) A summary of pertinent scientific research and surveys conducted to identify impacts on wildlife, fish, and other natural resources from energy and mineral developments.*

*(B) A summary of projects planned and completed to maintain, improve or enhance wildlife and fish populations and their habitats or other natural resources.*

*(C) A list of additional actions that assist, or would assist, in managing, including mitigating either onsite or offsite, or both, the impacts of energy and mineral development on wildlife, fish, and other natural resources.*

*(D) A summary of private (non-Federal) funds used to plan, conduct, and complete the plans and programs identified in paragraphs (2)(A) and (2)(B).*

***SEC. 15. TERMINATION OF EFFECT OF LAWS PROHIBITING THE SPENDING OF APPROPRIATED FUNDS FOR CERTAIN PURPOSES.***

*All provisions of existing Federal law prohibiting the spending of appropriated funds to conduct oil and natural gas leasing and preleasing activities, or to issue a lease to any person, for any area of the outer Continental Shelf shall have no force or effect.*

***SEC. 16. OUTER CONTINENTAL SHELF INCOMPATIBLE USE.***

*(a) IN GENERAL.—No Federal agency may permit construction or operation (or both) of any facility, or designate or maintain a restricted transportation corridor or operating area on the Federal outer Continental Shelf or in State waters, that will be incompatible with, as determined by the Secretary of the Interior, oil and gas or natural gas leasing and substantially full exploration and production of tracts that are geologically prospective for oil or natural gas (or both).*

*(b) EXCEPTIONS.—Subsection (a) shall not apply to any facility, transportation corridor, or operating area the construction, operation, designation, or maintenance of which is or will be—*

*(1) located in an area of the outer Continental Shelf that is unavailable for oil and gas or natural gas leasing by operation of law;*

*(2) used for a military readiness activity (as defined in section 315(f) of Public Law 107–314; 16 U.S.C. 703 note); or*

*(3) required in the national interest, as determined by the President.*

***SEC. 17. REPURCHASE OF CERTAIN LEASES.***

*(a) AUTHORITY TO REPURCHASE AND CANCEL CERTAIN LEASES.—The Secretary of the Interior shall repurchase and cancel any Federal oil and gas, geothermal, coal, oil shale, tar sands, or other mineral lease, whether onshore or offshore, if the Secretary finds that such lease qualifies for repurchase and cancellation under the regulations authorized by this section.*

*(b) REGULATIONS.—Not later than 365 days after the date of the enactment of this Act, the Secretary shall publish a final regulation stating the conditions under which a lease referred to in subsection (a) would qualify for repurchase and cancellation, and the process to be followed regarding repurchase and cancellation. Such regulation shall include, but not be limited to, the following:*

*(1) The Secretary shall repurchase and cancel a lease after written request by the lessee upon a finding by the Secretary that—*

*(A) a request by the lessee for a required permit or other approval complied with applicable law, except the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.), and terms of the lease and such permit or other approval was denied;*

*(B) a Federal agency failed to act on a request by the lessee for a required permit, other approval, or administrative appeal within a regulatory or statutory time-frame associated with the requested action, whether advisory or mandatory, or if none, within 180 days; or*

*(C) a Federal agency attached a condition of approval, without agreement by the lessee, to a required permit or other approval if such condition of approval was not mandated by Federal statute or regulation in effect on the date of lease issuance, or was not specifically allowed under the terms of the lease.*

*(2) A lessee shall not be required to exhaust administrative remedies regarding a permit request, administrative appeal, or other required request for approval for the purposes of this section.*

*(3) The Secretary shall make a final agency decision on a request by a lessee under this section within 180 days of request.*

*(4) Compensation to a lessee to repurchase and cancel a lease under this section shall be the amount that a lessee would receive in a restitution case for a material breach of contract.*

*(5) Compensation shall be in the form of a check or electronic transfer from the Department of the Treasury from funds deposited into miscellaneous receipts under the authority of the same Act that authorized the issuance of the lease being repurchased.*

*(6) Failure of the Secretary to make a final agency decision on a request by a lessee under this section within 180 days of request shall result in a 10 percent increase in the compensation due to the lessee if the lease is ultimately repurchased.*

*(c) NO PREJUDICE.—This section shall not be interpreted to prejudice any other rights that the lessee would have in the absence of this section.*

***SEC. 18. OFFSITE ENVIRONMENTAL MITIGATION.***

*Notwithstanding any other provision of law, any person conducting activities under the Mineral Leasing Act (30 U.S.C. 181 et seq.), the Geothermal Steam Act (30 U.S.C. 1001 et seq.), the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.), the Weeks Act (16 U.S.C. 552 et seq.), the General Mining Act of 1872 (30 U.S.C. 22 et seq.), the Materials Act of 1947 (30 U.S.C. 601 et seq.), or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), may in satisfying any mitigation requirements associated with such activities propose mitigation measures on a site away from the area impacted and the Secretary of the Interior shall accept these proposed measures if the Secretary finds that they generally achieve the purposes for which mitigation measures appertained.*

***SEC. 19. AMENDMENTS TO THE MINERAL LEASING ACT.***

*Section 17(g) of the Mineral Leasing Act (30 U.S.C. 226(g)) is amended to read as follows:*

*''(g) REGULATION OF SURFACE-DISTURBING ACTIVITIES.—*

*''(1) REGULATION OF SURFACE-DISTURBING ACTIVITIES.—The Secretary of the Interior, or for National Forest lands, the Secretary of Agriculture, shall regulate all surface-disturbing activities conducted pursuant to any lease issued*

*under this Act, and shall determine reclamation and other actions as required in the interest of conservation of surface resources.*

*''(2) SUBMISSION OF EXPLORATION PLAN; COMPLETION REVIEW; COMPLIANCE REVIEW.—*

*''(A) Prior to beginning oil and gas exploration activities, a lessee shall submit an exploration plan to the Secretary of the Interior for review.*

*''(B) The Secretary shall review the plan for completeness within 10 days of submission.*

*''(C) In the event the exploration plan is determined to be incomplete, the Secretary shall notify the lessee in writing and specify the items or information needed to complete the exploration plan.*

*''(D) The Secretary shall have 10 days to review any modified exploration plan submitted by the lessee.*

*''(E) To be deemed complete, an exploration plan shall include, in the degree of detail to be determined by the Secretary by rule or regulation—*

*''(i) a drilling plan containing a description of the drilling program;*

*''(ii) the surface and projected completion zone location;*

*''(iii) pertinent geologic data;*

*''(iv) expected hazards, and proposed mitigation measures to address such hazards;*

*''(v) a schedule of anticipated exploration activities to be undertaken;*

*''(vi) a description of equipment to be used for such activities;*

*''(vii) a certification from the lessee stating that the exploration plan complies with all lease, regulatory and statutory requirements in effect on the date of the issuance of the lease and any regulations promulgated after the date of lease issuance related to the conservation of resources;*

*''(viii) evidence that the lessee has secured an adequate bond, surety, or other financial arrangement prior to commencement of any surface disturbing activity;*

*''(ix) a plan that details the complete and timely reclamation of the lease tract; and*

*''(x) such other relevant information as the Secretary may by regulation require.*

*''(F) Upon a determination that the exploration plan is complete, the Secretary shall have 30 days from the date the plan is deemed complete to conduct a review of the plan.*

*''(G) If the Secretary finds the exploration plan is not consistent with all statutory and regulatory requirements described in subparagraph (E)(vii), the Secretary shall notify the lessee with a detailed explanation of such modifications of the exploration plan as are necessary to achieve compliance.*

*''(H) The lessee shall not take any action under the exploration plan within a 30 day review period, or thereafter until the plan has been modified to achieve compliance as so notified.*

*''(I) After review by the Secretary provided by this subsection, a lessee may operate pursuant to the plan without further review or approval by the Secretary.*

*''(3) PLAN REVISIONS; CONDUCT OF EXPLORATION ACTIVITIES.—*

*''(A) If a significant revision of an exploration plan under this subsection is submitted to the Secretary, the process to be used for the review of such revision shall be the same as set forth in paragraph (1) of this subsection.*

*''(B) All exploration activities pursuant to any lease shall be conducted in accordance with an exploration plan that has been submitted to and reviewed by the Secretary or a revision of such plan.*

*''(4) SUBMISSION OF DEVELOPMENT AND PRODUCTION PLAN; COMPLETENESS REVIEW; COMPLIANCE REVIEW.—*

*''(A) Prior to beginning oil and gas development and production activities, a lessee shall submit a development and exploration plan to the Secretary of the Interior. Upon submission, such plans shall be subject to a review for completeness.*

*''(B) The Secretary shall review the plan for completeness within 30 days of submission.*

*''(C) In the event a development and production plan is determined to be incomplete, the Secretary shall notify the lessee in writing and specify the items or information needed to complete the plan.*

*''(D) The Secretary shall have 30 days to review for completeness any modified development and production plan submitted by the lessee.*

*''(E) To be deemed complete, a development and production plan shall include, in the degree of detail to be determined by the Secretary by rule or regulation—*

*''(i) a drilling plan containing a description of the drilling program;*

*''(ii) the surface and projected completion zone location;*

*''(iii) pertinent geologic data;*

*''(iv) expected hazards, and proposed mitigation measures to address such hazards;*

*''(v) a statement describing all facilities and operations proposed by the lessee and known by the lessee (whether or not owned or operated by such lessee) that shall be constructed or utilized in the development and production of oil or gas from the leases areas, including the location and site of such facilities and operations, the land, labor, material, and energy requirements associated with such facilities and operations;*

*''(vi) the general work to be performed;*

*''(vii) the environmental safeguards to be implemented in connection with the development and production and how such safeguards are to be implemented;*

*''(viii) all safety standards to be met and how such standards are to be met;*

*''(ix) an expected rate of development and production and a time schedule for performance;*

*''(x) a certification from the lessee stating that the development and production plan complies with all lease, regulatory, and statutory requirements in effect on the date of issuance of the lease, and any regulations promulgated after the date of lease issuance related to the conservation of resources;*

*''(xi) evidence that the lessee has secured an adequate bond, surety, or other financial arrangement prior to commencement of any surface disturbing activity;*

*''(xii) a plan that details the complete and timely reclamation of the lease tract; and*

*''(xiii) such other relevant information as the Secretary may by regulation require.*

*''(F) Upon a determination that the development and production plan is complete, the Secretary shall have 120 days from the date the plan is deemed complete to conduct a review of the plan.*

*''(G) If the Secretary finds the development and production plan is not consistent with all statutory and regulatory requirements described in subparagraph (E)(x), the Secretary shall notify the lessee with a detailed explanation of such modifications of the development and production plan as are necessary to achieve compliance.*

*''(H) The lessee shall not take any action under the development and production plan within a 120 day review period, or thereafter until the plan has been modified to achieve compliance as so notified.*

*''(5) PLAN REVISIONS; CONDUCT OF DEVELOPMENT AND PRODUCTION ACTIVITIES.—*

*''(A) If a significant revision of a development and production plan under this subsection is submitted to the Secretary, the process to be used for the review of such revision shall be the same as set forth in paragraph (4) of this subsection.*

*''(B) All development and production activities pursuant to any lease shall be conducted in accordance with a development and production plan that has been submitted to and reviewed by the Secretary or a revision of such plan.*

*''(6) CANCELLATION OF LEASE ON FAILURE TO SUBMIT PLAN OR COMPLY WITH APPROVED PLAN.—Whenever the owner of any lease fails to submit a plan in accordance with regulations issued under this section, or fails to comply with a plan, the lease may be canceled in accordance with section 31. Termination of a lease because of failure to comply with a plan, including required modifications or revisions, shall not entitle a lessee to any compensation.''.*

***SEC. 20. MINERALS MANAGEMENT SERVICE.***

*The bureau known as the ''Minerals Management Service'' in the Department of the Interior shall be known as the ''National Ocean Resources and Royalty Service''.*

***SEC. 21. AUTHORITY TO USE DECOMMISSIONED OFFSHORE OIL AND GAS PLATFORMS AND OTHER FACILITIES FOR ARTIFICIAL REEF, SCIENTIFIC RESEARCH, OR OTHER USES.***

*(a) SHORT TITLE.—This section may be cited as the ''Rigs to Reefs Act of 2006''.*

*(b) IN GENERAL.—The Outer Continental Shelf Lands Act (43 U.S.C. 1301 et seq.) is amended by inserting after section 9 the following:*

***''SEC. 10. USE OF DECOMMISSIONED OFFSHORE OIL AND GAS PLATFORMS AND OTHER FACILITIES FOR ARTIFICIAL REEF, SCIENTIFIC RESEARCH, OR OTHER USES.***

*''(a) IN GENERAL.—The Secretary shall issue regulations under which the Secretary may authorize use of an offshore oil and gas platform or other facility that is decommissioned from service for oil and gas purposes for an artificial reef, scientific research, or any other use authorized under section 8(p) or any other applicable Federal law.*

*''(b) TRANSFER REQUIREMENTS.—The Secretary shall not allow the transfer of a decommissioned offshore oil and gas platform or other facility to another person unless the Secretary is satisfied that the transferee is sufficiently bonded, endowed, or otherwise financially able to fulfill its obligations, including but not limited to—*

*''(1) ongoing maintenance of the platform or other facility;*

*''(2) any liability obligations that might arise;*

*''(3) removal of the platform or other facility if determined necessary by the Secretary; and*

*''(4) any other requirements and obligations that the Secretary may deem appropriate by regulation.*

*''(c) PLUGGING AND ABANDONMENT.—The Secretary shall ensure that plugging and abandonment of wells is accomplished at an appropriate time.*

*''(d) POTENTIAL TO PETITION TO OPT-OUT OF REGULATIONS.—An Adjacent State acting through a resolution of its legislature, with concurrence of its Governor, may preliminarily petition to opt-out of the application of regulations promulgated under this section to platforms and other facilities located in the area of its Adjacent Zone within 12 miles of the coastline. Upon receipt of the preliminary petition, the Secretary shall complete an environmental assessment that documents the anticipated environmental effects of approving the petition. The Secretary shall provide the environmental assessment to the State, which then has the choice of no action or confirming its petition by further action of its legislature, with the concurrence of its Governor. The Secretary is authorized to except such area from the application of such regulations, and shall approve any confirmed petition.*

*''(e) LIMITATION ON LIABILITY.—A person that had used an offshore oil and gas platform or other facility for oil and gas purposes and that no longer has any ownership or control of the platform or other facility shall not be liable under Federal law for any costs or damages arising from such platform or other facility after the date the platform or other facility is used for any purpose under subsection (a), unless such costs or damages arise from—*

*''(1) use of the platform or other facility by the person for development or production of oil or gas; or*

''(2) another act or omission of the person.

''(f) OTHER LEASING AND USE NOT AFFECTED.—This section, and the use of any offshore oil and gas platform or other facility for any purpose under subsection (a), shall not affect—

''(1) the authority of the Secretary to lease any area under this Act; or

''(2) any activity otherwise authorized under this Act.''.

(c) DEADLINE FOR REGULATIONS.—The Secretary of the Interior shall issue regulations under subsection (b) by not later than 180 days after the date of the enactment of this Act.

(d) STUDY AND REPORT ON EFFECTS OF REMOVAL OF PLATFORMS.—Not later than one year after the date of enactment of this Act, the Secretary of the Interior, in consultation with other Federal agencies as the Secretary deems advisable, shall study and report to the Congress regarding how the removal of offshore oil and gas platforms and other facilities from the outer Continental Shelf would affect existing fish stocks and coral populations.

**SEC. 22. REPEAL OF REQUIREMENT TO CONDUCT COMPREHENSIVE INVENTORY OF OCS OIL AND NATURAL GAS RESOURCES.**

The Energy Policy Act of 2005 (Public Law 109–58) is amended—

(1) by repealing section 357 (119 Stat. 720; 42 U.S.C. 15912); and

(2) in the table of contents in section 1(b), by striking the item relating to such section 357.

**SEC. 23. MINING AND PETROLEUM SCHOOLS.**

(a) FEDERAL ENERGY AND MINERAL RESOURCES PROFESSIONAL DEVELOPMENT FUND.—

(1) PROFESSIONAL DEVELOPMENT FUND.—There is established in the Treasury a separate account to be known as the ''Federal Energy And Mineral Resources Professional Development Fund'' (in this section referred to as the ''Professional Development Fund'').

(2) FUNDING.—The Secretary of the Treasury shall deposit in the Professional Development Fund—

(A) such sums as are provided by sections 9(b)(5)(A)(iii), 9(b)(5)(B)(iii), 9(c)(4)(A)(iii), and 9(c)(4)(B)(iii) of the Outer Continental Shelf Lands Act, as amended by this Act;

(B)(i) during the period of October 1, 2006, through September 30, 2015, one percent of all sums paid into the Treasury under section 35 of the Mineral Leasing Act (30 U.S.C. 191), and

(ii) beginning October 1, 2015, and thereafter, 2.5 percent of all sums paid into the Treasury under section 35 of the Mineral Leasing Act (30 U.S.C. 191);

(C)(i) during the period of October 1, 2006, through September 30, 2015, one percent of all sums paid into the Treasury from receipts derived from bonus bids and royalties from other mineral leasing on public lands, and

(ii) beginning October 1, 2015, and thereafter, 2.5 percent of all sums paid into the Treasury from receipts derived from bonus bids and royalties from other mineral leasing on public lands;

(D) donations received under paragraph (4);

(E) amounts referred to in section 2325 of the Revised Statutes; and

(F) funds received under section 10 of the Energy and Mineral Schools Reinvestment Act, as amended by this Act.

(3) INVESTMENTS.—The Secretary of the Treasury shall invest the amounts deposited under paragraph (2) and all accrued interest on the amounts deposited under paragraph (2) only in interest bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(4) DONATIONS.—The Secretary of the Interior may solicit and accept donations of funds for deposit into the Professional Development Fund.

(5) AVAILABILITY TO SECRETARY OF THE INTERIOR.—

(A) IN GENERAL.—Beginning with fiscal year 2007, and in each fiscal year thereafter, the amounts deposited into the Professional Development Fund, together with the interest thereon, shall be available, without fiscal year limitations, to the Secretary of the Interior for use to carry out the Energy and Mineral Schools Reinvestment Act.

(B) WITHDRAWALS AND TRANSFER OF FUNDS.—The Secretary of the Treasury shall withdraw such amounts from the Professional Development Fund as the Secretary of the Interior may request and transfer such amounts to the Secretary of the Interior to be used, at the discretion of the Secretary to carry out the Energy and Mineral Schools Reinvestment Act.

(b) MAINTENANCE AND RESTORATION OF EXISTING AND HISTORIC PETROLEUM AND MINING ENGINEERING PROGRAMS.—Public Law 98–409 (30 U.S.C. 1221 et seq.) is amended to read as follows:

**''SECTION 1. SHORT TITLE.**

''This Act may be cited as the 'Energy and Mineral Schools Reinvestment Act'.

**''SEC. 2. POLICY.**

''It is the policy of the United States to maintain the human capital needed to preserve and foster the economic, energy, and mineral resources security of the United States. The petroleum and mining engineering programs and the applied geology and geophysics programs at State chartered schools, universities, and institutions that produce human capital are national assets and should be assisted with Federal funds to ensure their continued health and existence.

**''SEC. 3. MAINTAINING AND RESTORING HISTORIC AND EXISTING PETROLEUM AND MINING ENGINEERING EDUCATION PROGRAMS.**

''(a) Using the funds in the Federal Energy And Mineral Resources Professional Development Fund, the Secretary of the Interior (in this Act referred to as the 'Secretary') shall provide funds to each historic and existing State-chartered recognized petroleum or mining school to assist such schools, universities, and institutions in maintaining programs in petroleum, mining, and mineral engineering education and research. All funds shall be directed only to these programs and shall be subject to the conditions of this section. Such funds shall not be less than 33 percent of the annual outlay of funds under this Act.

''(b) In this Act the term 'historic and existing State-chartered recognized petroleum or mining school' means a school, university, or educational institution with the presence of an engineering program meeting the specific program criteria, established by the member societies of ABET, Inc., for petroleum, mining, or mineral engineering and that is accredited on the date of enactment of the Deep Ocean Energy Resources Act of 2006 by ABET, Inc.

''(c) It shall be the duty of each school, university, or institution receiving funds under this section to provide for and enhance the training of undergraduate and graduate petroleum, mining, and mineral engineers through research, investigations, demonstrations, and experiments. All such work shall be carried out in a manner that will enhance undergraduate education.

''(d) Each school, university, or institution receiving funds under this Act shall maintain the program for which the funds are provided for 10 years after the date of the first receipt of such funds and take steps agreed to by the Secretary to increase the number of undergraduate students enrolled in and completing the programs of study in petroleum, mining, and mineral engineering.

''(e) The research, investigation, demonstration, experiment, and training authorized by this section may include development and production of conventional and non-conventional fuel resources, the production of metallic and non-metallic mineral resources including industrial mineral resources, and the production of stone, sand, and gravel. In all cases the work carried out with funds made available under this Act shall include a significant opportunity for participation by undergraduate students.

''(f) Research funded by this Act related to energy and mineral resource development and production may include studies of petroleum, mining, and mineral extraction and immediately related beneficiation technology; mineral economics, reclamation technology and practices for active operations, and the development of remining systems and technologies to facilitate reclamation that fosters the ultimate recovery of resources at abandoned petroleum, mining, and aggregate production sites.

''(g) Grants for basic science and engineering studies and research shall not require additional participation by funding partners. Grants for studies to demonstrate the proof of concept for science and engineering or the demonstration of feasibility and implementation shall include participation by industry and may include funding from other Federal agencies.

''(h)(1) No funds made available under this section shall be applied to the acquisition by purchase or lease of any land or interests therein, or the rental, purchase, construction, preservation, or repair of any building.

''(2) Funding made available under this section may be used with the express approval of the Secretary for proposals that will provide for maintaining or upgrading of existing laboratories and laboratory equipment. Funding for such maintenance shall not be used for university overhead expenses.

''(3) Funding made available under this Act may be used for maintaining and upgrading mines and oil and gas drilling rigs owned by a school, university, or institution described in this section that are used for undergraduate and graduate training and worker safety training. All requests for funding such mines and oil and gas drilling rigs must demonstrate that they have been owned by the school, university, or institution for 5 years prior to the date of enactment of the Deep Ocean Energy Resources Act of 2006 and have been actively used for instructional or training purposes during that time.

''(4) Any funding made available under this section for research, investigation, demonstration, experiment, or training shall not be used for university overhead charges in excess of 10 percent of the amount authorized by the Secretary.

**''SEC. 4. FORMER AND NEW PETROLEUM AND MINING ENGINEERING PROGRAMS.**

''A school, university, or educational institution that formerly met the requirements of section 3(b) immediately before the date of the enactment of the Deep Ocean Energy Resources Act of 2006, or that seeks to establish a new program described in section 3(b), shall be eligible for funding under this Act only if it—

''(1) establishes a petroleum, mining, or mineral engineering program that meets the specific program criteria and is accredited as such by ABET, Inc.;

''(2) agrees to the conditions of subsections (c) through (h) of section 3 and the Secretary, as advised by the Committee established by section 11, determines that the program will strengthen and increase the number of nationally available, well- qualified faculty members in petroleum, mining, and mineral engineering; and

''(3) agrees to maintain the accredited program for 10 years after the date of the first receipt of funds under this Act.

**''SEC. 5. FUNDING OF CONSORTIA OF HISTORIC AND EXISTING SCHOOLS.**

''Where appropriate, the Secretary may make funds available to consortia of schools, universities, or institutions described in sections 3, 4, and 6, including those consortia that include schools, universities, or institutions that are ineligible for funds under this Act if those schools, universities, or institutions, respectively, have skills, programs, or facilities specifically identified as needed by the consortia to meet the necessary expenses for purposes of—

''(1) specific energy and mineral research projects of broad application that could not otherwise be undertaken, including the expenses of planning and coordinating regional petroleum, geothermal, mining, and mineral engineering or beneficiation projects by two or more schools; and

''(2) research into any aspects of petroleum, geothermal, mining, or mineral engineering or beneficiation problems, including but not limited to exploration, that are related to the mission of the Department of the Interior and that are considered by the Committee to be desirable.

**''SEC. 6. SUPPORT FOR SCHOOLS WITH ENERGY AND MINERAL RESOURCE PROGRAMS IN PETROLEUM AND MINERAL EXPLORATION GEOLOGY, PETROLEUM GEOPHYSICS, OR MINING GEOPHYSICS.**

''(a) Twenty percent of the annual outlay of funds under this Act may be granted to schools, universities, and institutions other than those described in sections 3 and 4.

''(b) The Secretary, as advised by the Committee established by section 11, shall determine the eligibility of a college or university to receive funding under this Act using criteria that include—

''(1) the presence of a substantial program of undergraduate and graduate geoscience instruction and research in one or more of the following specialties: petroleum geology, geothermal geology, mineral exploration geology, economic geology, industrial minerals geology, mining geology, petroleum geophysics, mining geophysics, geological engineering, or geophysical engineering that has a demonstrated history of achievement;

''(2) evidence of institutional commitment for the purposes of this Act that includes a significant opportunity for participation by undergraduate students in research;

''(3) evidence that such school, university, or institution has or can obtain significant industrial cooperation in activities within the scope of this Act;

''(4) agreement by the school, university, or institution to maintain the programs for which the funding is sought for the 10-year period beginning on the date the school, university, or institution first receives such funds; and

''(5) requiring that such funding shall be for the purposes set forth in subsections (c) through (h) of section 3 and subject to the conditions set forth in section 3(h).

**''SEC. 7. DESIGNATION OF FUNDS FOR SCHOLARSHIPS AND FELLOWSHIPS.**

''(a) The Secretary shall utilize 19 percent of the annual outlay of funds under this Act for the purpose of providing merit-based scholarships for undergraduate education, graduate fellowships, and postdoctoral fellowships.

''(b) In order to receive a scholarship or a graduate fellowship, an individual student must be a lawful permanent resident of the United States or a United States citizen and must agree in writing to complete a course of studies and receive a degree in petroleum, mining, or mineral engineering, petroleum geology, geothermal geology, mining and economic geology, petroleum and mining geophysics, or mineral economics.

''(c) The regulations required by section 9 shall require that an individual, in order to retain a scholarship or graduate fellowship, must continue in one of the course of studies listed in subsection (b) of this section, must remain in good academic standing, as determined by the school, institution, or university and must allow for reinstatement of the scholarship or graduate fellowship by the Secretary, upon the recommendation of the school or institution. Such regulations may also provide for recovery of funds from an individual who fails to complete any of the courses of study listed in subsection (b) of this section after notice that such completion is a requirement of receipt funding under this Act.

**''SEC. 8. FUNDING CRITERIA FOR INSTITUTIONS.**

''(a) Each application for funds under this Act shall state, among other things, the nature of the project to be undertaken; the period during which it will be pursued; the qualifications of the personnel who will direct and conduct it; the estimated costs; the importance of the project to the Nation, region, or States concerned; its relation to other known research projects theretofore pursued or being pursued; the extent to which the proposed project will maximize the opportunity for the training of undergraduate petroleum, mining, and mineral engineers; geologists and geophysicists; and the extent of participation by nongovernmental sources in the project.

''(b) No funds shall be made available under this Act except for a project approved by the Secretary. All funds shall be made available upon the basis of merit of the project, the need for the knowledge that it is expected to produce when completed, and the opportunity it provides for the undergraduate training of individuals as petroleum, mining, and mineral engineers, geologists, and geophysicists.

''(c) Funds available under this Act shall be paid at such times and in such amounts during each fiscal year as determined by the Secretary, and upon vouchers approved by the Secretary. Each school, university, or institution that receives funds under this Act shall—

''(1) establish its plan to provide for the training of individuals as petroleum, mining, and mineral engineers, geologists, and geophysicists under a curriculum appropriate to the field of mineral resources and mineral engineering and related fields;

''(2) establish policies and procedures that assure that Federal funds made available under this Act for any fiscal year will supplement and, to the extent practicable, increase the level of funds that would, in the absence of such Federal funds, be made available for purposes of this Act, and in no case supplant such funds; and

''(3) have an officer appointed by its governing authority who shall receive and account for all funds paid under this Act and shall make an annual report to the Secretary on or before the first day of September of each year, on work accomplished and the status of projects underway, together with a detailed statement of the amounts received under this Act during the preceding fiscal year, and of its disbursements on schedules prescribed by the Secretary.

''(d) If any of the funds received by the authorized receiving officer of a program under this Act are found by the Secretary to have been improperly diminished, lost, or misapplied, such funds shall be recovered by the Secretary.

''(e) Schools, universities, and institutions receiving funds under this Act are authorized and encouraged to plan and conduct programs under this Act in cooperation with each other and with such other agencies, business enterprises and individuals.

**''SEC. 9. DUTIES OF SECRETARY.**

''(a) The Secretary, acting through the Assistant Secretary for Land and Minerals Management, shall administer this Act and shall prescribe such rules and regulations as may be necessary to carry out its provisions not later than 1 year after the enactment of the Deep Ocean Energy Resources Act of 2006.

''(b)(1) There is established in the Department of the Interior, under the supervision of the Assistant Secretary for Land and Minerals Management, an office to be known as the Office of Petroleum and Mining Schools (hereafter in this Act referred to as the 'Office') to administer the provisions of this Act. There shall be a Director of the Office who shall be a member of the Senior Executive Service. The position of the Director shall be allocated from among the existing Senior Executive Service positions at the Department of the Interior and shall be a career reserved position as defined in section 3132(a)(8) of title 5, United States Code.

''(2) The Director is authorized to appoint a Deputy Director and to employ such officers and employees as may be necessary to enable the Office to carry out its functions, not to exceed fifteen. Such appointments shall be made from existing positions at the Department of the Interior, and shall be subject to the provisions of title 5, United States Code, governing appointments in the competitive service. Such positions shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

''(3) In carrying out his or her functions, the Director shall assist and advise the Secretary and the Committee established by section 11 of this Act by

''(A) providing professional and administrative staff support for the Committee including recordkeeping and maintaining minutes of all Committee and subcommittee meetings;

''(B) coordinating the activities of the Committee with Federal agencies and departments, and the schools, universities, and institutions to which funds are provided under this Act;

''(C) maintaining accurate records of funds disbursed for all scholarships, fellowships, research grants, and grants for career technical education purposes;

''(D) preparing any regulations required to implement this Act;

''(E) conducting site visits at schools, universities, and institutions receiving funding under this Act; and

''(F) serving as a central repository for reports and clearing house for public information on research funded by this Act.

''(4) The Director or an employee of the Office shall be present at each meeting of the Committee established by section 11 or a subcommittee of such Committee.

''(5) The Director is authorized to contract with public or private agencies, institutions, and organizations and with individuals without regard to section 3324(a) and (b) of title 31, United States Code, and section 5 of title 41, United States Code, in carrying out his or her functions.

''(6) As needed the Director shall ascertain whether the requirements of this Act have been met by schools, universities, institutions, and individuals, including the payment of any revenues derived from patents into the fund created by section 23(a) of this Act as required by section 10(d).

''(c) The Secretary, acting through the Office of Petroleum and Mining Schools, shall furnish such advice and assistance as will best promote the purposes of this Act, shall participate in coordinating research, investigations, demonstrations, and experiments initiated under this Act, shall indicate to schools, universities, and institutions receiving funds under this Act such lines of inquiry that seem most important, and shall encourage and assist in the establishment and maintenance of cooperation between such schools, universities, and institutions, other research organizations, the Department of the Interior, and other Federal agencies.

''(d) The Secretary shall establish procedures—

''(1) to ensure that each employee and contractor of the Office established by this section and each member of the committee established by section 11 of this Act shall disclose to the Secretary any financial interests in or financial relationships with schools, universities, institutions or individuals receiving funds, scholarships or fellowships under this Act;

''(2) to require any employee, contractor, or member of the committee with a financial relationship disclosed under paragraph (1) to recuse themselves from—

''(A) any recommendation or decision regarding the awarding of funds, scholarships or fellowships; or

''(B) any review, report, analysis or investigation regarding compliance with the provisions of

*this Act by a school, university, institution or any individual.*

*''(e) On or before the first day of July of each year beginning after the date of enactment of this sentence, schools, universities, and institutions receiving funds under this Act shall certify compliance with this Act and upon request of the Director of the office established by this section provide documentation of such compliance.*

*''(f) An individual granted a scholarship or fellowship with funds provided under this Act shall through their respective school, university, or institution, advise the Director of the office established by this Act of progress towards completion of the course of studies and upon the awarding of the degree within 30 days after the award.*

*''(g) The regulations required by this section shall include a preference for veterans and service members who have received or will receive either the Afghanistan Campaign Medal or the Iraq Campaign Medal as authorized by Public Law 108–234, and Executive Order 13363.*

***"SEC. 10. COORDINATION.***

*''(a) Nothing in this Act shall be construed to impair or modify the legal relationship existing between any of the schools, universities, and institutions under whose direction a program is established with funds provided under this Act and the government of the State in which it is located. Nothing in this Act shall in any way be construed to authorize Federal control or direction of education at any school, university, or institution.*

*''(b) The programs authorized by this Act are intended to enhance the Nation's petroleum, mining, and mineral engineering education programs and to enhance educational programs in petroleum and mining exploration and to increase the number of individuals enrolled in and completing these programs. To achieve this intent, the Secretary and the Committee established by section 11 shall receive the continuing advice and cooperation of all agencies of the Federal Government concerned with the identification, exploration, and development of energy and mineral resources.*

*''(c) Nothing in this Act is intended to give or shall be construed as giving the Secretary any authority over mining and mineral resources research conducted by any agency of the Federal Government, or as repealing or diminishing existing authorities or responsibilities of any agency of the Federal Government to plan and conduct, contract for, or assist in research in its area of responsibility and concern with regard to mining and mineral resources.*

*''(d) The schools, universities, and institutions receiving funding under this Act shall make detailed reports to the Office of Petroleum and Mining Schools on projects completed, in progress, or planned with funds provided under this Act. All such reports shall available to the public on not less than an annual basis through the Office of Petroleum and Mining Schools. All uses, products, processes, patents, and other developments resulting from any research, demonstration, or experiment funded in whole or in part under this Act shall be made available promptly to the general public, subject to exception or limitation, if any, as the Secretary may find necessary in the interest of national security. Schools, universities, and institutions receiving patents for inventions funded in whole or in part under this Act shall be governed by the applicable Federal law, except that one percent of gross annual revenues due to the holders of the patents that are derived from such patents shall be paid by the holders of the patents to the Federal Energy and Mineral Resources Professional Development Fund established by section 23(a) of the Deep Ocean Energy Resources Act of 2006.*

***"SEC. 11. COMMITTEE ON PETROLEUM, MINING, AND MINERAL ENGINEERING AND ENERGY AND MINERAL RESOURCE EDUCATION.***

*''(a) The Secretary shall appoint a Committee on Petroleum, Mining, and Mineral Engineering and Energy and Mineral Resource Education composed of—*

*''(1) the Assistant Secretary of the Interior responsible for land and minerals management and not more than 16 other persons who are knowledgeable in the fields of mining and mineral resources research, including 2 university administrators one of whom shall be from historic and existing petroleum and mining schools; a community, technical, or tribal college administrator; a career technical education educator; 6 representatives equally distributed from the petroleum, mining, and aggregate industries; a working miner; a working oilfield worker; a representative of the Interstate Oil and Gas Compact Commission; a representative from the Interstate Mining Compact Commission; a representative from the Western Governors Association; a representative of the State geologists, and a representative of a State mining and reclamation agency. In making these 16 appointments, the Secretary shall consult with interested groups.*

*''(2) The Assistant Secretary for Land and Minerals Management, in the capacity of the Chairman of the Committee, may have present during meetings of the Committee representatives of Federal agencies with responsibility for energy and minerals resources management, energy and mineral resource investigations, energy and mineral commodity information, international trade in energy and mineral commodities, mining safety regulation and mine safety research, and research into the development, production, and utilization of energy and mineral commodities. These representatives shall serve as technical advisors to the committee and shall have no voting responsibilities.*

*''(b) The Committee shall consult with, and make recommendations to, the Secretary on all matters relating to funding energy and mineral resources research, the awarding of scholarships and fellowships and allocation of funding made under this Act. The Secretary shall consult with and carefully consider recommendations of the Committee in such matters.*

*''(c) Committee members, other than officers or employees of Federal, State, or local governments, shall be, for each day (including traveltime) during which they are performing Committee business, paid at a rate fixed by the Secretary but not in excess of the daily equivalent of the maximum rate of pay for level IV of the Executive Schedule under section 5136 of title 5, United States Code, and shall be fully reimbursed for travel, subsistence, and related expenses.*

*''(d) The Committee shall be chaired by the Assistant Secretary of the Interior responsible for land and minerals management. There shall also be elected a Vice Chairman by the Committee from among the members referred to in this section. The Vice Chairman shall perform such duties as are determined to be appropriate by the committee, except that the Chairman of the Committee must personally preside at all meetings of the full Committee. The Committee may organize itself into such subcommittees as the Committee may deem appropriate.*

*''(e) Following completion of the report required by section 385 of the Energy Policy Act of 2005, the Committee shall consider the recommendations of the report, ongoing efforts in the schools, universities, and institutions receiving funding under this Act, the Federal and State Governments, and the private sector, and shall formulate and recommend to the Secretary a national plan for a program utilizing the fiscal resources provided under this Act. The Committee shall submit such plan to the Secretary for approval. Upon approval, the plan shall guide the Secretary and the Committee in their actions under this Act.*

*''(f) Section 10 of the Federal Advisory Committee Act (5 U.S.C. App. 2) shall not apply to the Committee.*

***"SEC. 12. CAREER TECHNICAL EDUCATION.***

*''(a) Up to 25 percent of the annual outlay of funds under this Act may be granted to schools or institutions including, but not limited to, colleges, universities, community colleges, tribal colleges, technical institutes, and secondary schools, other than those described in sections 3, 4, 5, and 6.*

*''(b) The Secretary, as advised by the Committee established under section 11, shall determine the eligibility of a school or institution to receive funding under this section using criteria that include—*

*''(1) the presence of a State-approved program in mining engineering technology, petroleum engineering technology, industrial engineering technology, or industrial technology that—*

*''(A) is focused on technology and its use in energy and mineral production and related maintenance, operational safety, or energy infrastructure protection and security;*

*''(B) prepares students for advanced or supervisory roles in the mining industry or the petroleum industry; and*

*''(C) grants either an associate's degree or a baccalaureate degree in one of the subjects listed in subparagraph (A);*

*''(2) the presence of a program, including a secondary school vocational education program or career academy, that provides training for individuals entering the petroleum, coal mining, or mineral mining industries; or*

*''(3) the presence of a State-approved program of career technical education at a secondary school, offered cooperatively with a community college in one of the industrial sectors of—*

*''(A) agriculture, forestry, or fisheries;*

*''(B) utilities;*

*''(C) construction;*

*''(D) manufacturing; and*

*''(E) transportation and warehousing.*

*''(c) Schools or institutions receiving funds under this section must show evidence of an institutional commitment for the purposes of career technical education and provide evidence that the school or institution has received or will receive industry cooperation in the form of equipment, employee time, or donations of funds to support the activities that are within the scope of this section.*

*''(d) Schools or institutions receiving funds under this section must agree to maintain the programs for which the funding is sought for a period of 10 years beginning on the date the school or institution receives such funds, unless the Secretary finds that a shorter period of time is appropriate for the local labor market or is required by State authorities.*

*''(e) Schools or institutions receiving funds under this section may combine these funds with State funds, and other Federal funds where allowed by law, to carry out programs described in this section, however the use of the funds received under this section must be reported to the Secretary not less than annually.*

***"SEC. 13. DEPARTMENT OF THE INTERIOR WORKFORCE ENHANCEMENT.***

*''(a) PHYSICAL SCIENCE, ENGINEERING AND TECHNOLOGY SCHOLARSHIP PROGRAM.—*

*''(1) From the funds made available to carry out this section, the Secretary shall use 30 percent of that amount to provide financial assistance for education in physical sciences, engineering, and engineering or industrial technology and disciplines that, as determined by the Secretary, are critical to the functions of the Department of the Interior and are needed in the Department of the Interior workforce.*

*''(2) The Secretary of the Interior may award a scholarship in accordance with this section to a person who—*

*''(A) is a citizen of the United States;*

*''(B) is pursuing an undergraduate or advanced degree in a critical skill or discipline described in paragraph (1) at an institution of higher education; and*

*''(C) enters into a service agreement with the Secretary of the Interior as described in subsection (e).*

''(3) The amount of the financial assistance provided under a scholarship awarded to a person under this subsection shall be the amount determined by the Secretary of the Interior as being necessary to pay all educational expenses incurred by that person, including tuition, fees, cost of books, laboratory expenses, and expenses of room and board. The expenses paid, however, shall be limited to those educational expenses normally incurred by students at the institution of higher education involved.

''(b) SCHOLARSHIP PROGRAM FOR STUDENTS ATTENDING MINORITY SERVING HIGHER EDUCATION INSTITUTIONS.—

''(1) From the funds made available to carry out this section, the Secretary shall use 25 percent of that amount to award scholarships in accordance with this section to persons who—

''(A) are enrolled in a Minority Serving Higher Education Institutions.

''(B) are citizens of the United States;

''(C) are pursuing an undergraduate or advanced degree in agriculture, engineering, engineering or industrial technology, or physical sciences, or other discipline that is found by the Secretary to be critical to the functions of the Department of the Interior and are needed in the Department of the Interior workforce; and

''(D) enter into a service agreement with the Secretary of the Interior as described in subsection (e).

''(2) The amount of the financial assistance provided under a scholarship awarded to a person under this subsection shall be the amount determined by the Secretary of the Interior as being necessary to pay all educational expenses incurred by that person, including tuition, fees, cost of books, laboratory expenses, and expenses of room and board. The expenses paid, however, shall be limited to those educational expenses normally incurred by students at the institution of higher education involved.

''(c) EDUCATION PARTNERSHIPS WITH MINORITY SERVING HIGHER EDUCATION INSTITUTIONS.—

''(1) The Secretary shall require the director of each Bureau and Office, to foster the participation of Minority Serving Higher Education Institutions in any regulatory activity, land management activity, science activity, engineering or industrial technology activity, or engineering activity carried out by the Department of the Interior.

''(2) From the funds made available to carry out this section, the Secretary shall use 25 percent of that amount to support activities at Minority Serving Higher Education Institutions by—

''(A) funding faculty and students in these institutions in collaborative research projects that are directly related to the Departmental or Bureau missions;

''(B) allowing equipment transfer to Minority Serving Higher Education Institutions as a part of a collaborative research program directly related to a Departmental or Bureau mission;

''(C) allowing faculty and students at these Minority Serving Higher Education Institutions to participate Departmental and Bureau training activities;

''(D) funding paid internships in Departmental and Bureau facilities for students at Minority Serving Higher Education Institutions;

''(E) assigning Departmental and Bureau personnel to positions located at Minority Serving Higher Educational Institutions to serve as mentors to students interested in a science, technology or engineering disciplines related to the mission of the Department or the Bureaus.

''(d) KINDERGARTEN THROUGH GRADE TWELVE SCIENCE EDUCATION ENHANCEMENT PROGRAM.—

''(1) From the funds made available to carry out this section, the Secretary shall use 20 percent of that amount to support activities designed to enhance the knowledge and expertise of teachers of basic sciences, mathematics, engineering and technology in Kindergarten through Grade Twelve programs.

''(2) The Secretary is authorized to—

''(A) support competitive events for students under the supervision of teachers that are designed to encourage student interest and knowledge in science, engineering, technology and mathematics;

''(B) support competitively-awarded, peer-reviewed programs to promote professional development for mathematics, science, engineering and technology teachers who teach in grades from kindergarten through grade 12;

''(C) support summer internships at Department facilities, for mathematics, science, engineering and technology teachers who teach in grades from kindergarten through grade 12; and

''(D) sponsor and assist in sponsoring educational and teacher training activities in subject areas identified as critical skills.

''(e) SERVICE AGREEMENT FOR RECIPIENTS OF ASSISTANCE.—

''(1) To receive financial assistance under subsection (a) and subsection (b) of this section—

''(A) in the case of an employee of the Department of the Interior, the employee shall enter into a written agreement to continue in the employment of the department for the period of obligated service determined under paragraph (2); and

''(B) in the case of a person not an employee of the Department of the Interior, the person shall enter into a written agreement to accept and continue employment in the Department of the Interior for the period of obligated service determined under paragraph (2).

''(2) For the purposes of this section, the period of obligated service for a recipient of a scholarship under this section shall be the period determined by the Secretary of the Interior as being appropriate to obtain adequate service in exchange for the financial assistance provided under the scholarship. In no event may the period of service required of a recipient be less than the total period of pursuit of a degree that is covered by the scholarship. The period of obligated service is in addition to any other period for which the recipient is obligated to serve in the civil service of the United States.

''(3) An agreement entered into under this subsection by a person pursuing an academic degree shall include any terms and conditions that the Secretary of the Interior determines necessary to protect the interests of the United States or otherwise appropriate for carrying out this section.

''(f) REFUND FOR PERIOD OF UNSERVED OBLIGATED SERVICE.—

''(1) A person who voluntarily terminates service before the end of the period of obligated service required under an agreement entered into under subsection (e) shall refund to the United States an amount determined by the Secretary of the Interior as being appropriate to obtain adequate service in exchange for financial assistance.

''(2) An obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) The Secretary of the Interior may waive, in whole or in part, a refund required under paragraph (1) if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

''(4) A discharge in bankruptcy under title 11, United States Code, that is entered less than five years after the termination of an agreement under this section does not discharge the person signing such agreement from a debt arising under such agreement or under this subsection.

''(g) RELATIONSHIP TO OTHER PROGRAMS.—The Secretary of the Interior shall coordinate the provision of financial assistance under the authority of this section with the provision of financial assistance under the authorities provided in this Act in order to maximize the benefits derived by the Department of Interior from the exercise of all such authorities.

''(h) REPORT.—Not later than September 1 of each year, the Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the status of the assistance program carried out under this section. The report shall describe the programs within the Department designed to recruit and retain a workforce on a short-term basis and on a long-term basis.

''(i) DEFINITIONS.—As used in this section:

''(1) The term 'Minority Serving Higher Education Institutions' means a Hispanic-serving institution, historically Black college or university, Alaska Native-serving institution, or tribal college.

''(2) The term 'Hispanic-serving institution' has the meaning given the term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

''(3) The term 'historically Black college or university' has the meaning given the term 'part B institution' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

''(4) The term 'tribal college' has the meaning given the term 'tribally controlled college or university' in section 2(a) of the Tribally Controlled College Assistance Act of 1978 (25 U.S.C. 1801(a)).

''(5) The term 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(6) The term 'Alaska Native-serving institution' has the meaning given the term in section 317 of the Higher Education Act of 1965 (20 U.S.C. 1059d).

''(j) FUNDING.—The Secretary shall spend 3 percent of the annual outlay under this Act to implement this section not to exceed $10,000,000.''.

**SEC. 24. ONSHORE AND OFFSHORE MINERAL LEASE FEES.**

Except as otherwise provided in this Act, the Department of the Interior is prohibited from charging fees applicable to actions on Federal onshore and offshore oil and gas, coal, geothermal, and other mineral leases, including transportation of any production from such leases, if such fees were not established in final regulations prior to the date of issuance of the lease.

**SEC. 25. OCS REGIONAL HEADQUARTERS.**

The headquarters for the Gulf of Mexico Region shall permanently be located within the State of Louisiana within 25 miles of the center of Jackson Square, New Orleans, Louisiana. Further, not later than July 1, 2008, the Secretary of the Interior shall establish the headquarters for the Atlantic OCS Region and the headquarters for the Pacific OCS Region within a State bordering the Atlantic OCS Region and a State bordering the Pacific OCS Region, respectively, from among the States bordering those Regions, that petitions by no later than January 1, 2008, for leasing, for oil and gas or natural gas, covering at least 40 percent of the area of its Adjacent Zone within 100 miles of the coastline. Such Atlantic and Pacific OCS Regions headquarters shall be located within 25 miles of the coastline and each MMS OCS regional headquarters shall be the permanent duty station for all Minerals Management Service personnel that on a daily basis spend on average 60 percent or more of their time in performance of duties in support of the activities of the respective Region, except that the Minerals Management Service may house regional inspection staff in other locations. Each OCS Region shall each be led by a Regional Director who shall be an employee within the Senior Executive Service.

**SEC. 26. NATIONAL GEO FUND ACT OF 2006.**

(a) SHORT TITLE.—This section may be cited as the ''National Geo Fund Act of 2006''.

(b) PURPOSES.—The purpose of this section is to—

(1) establish a fund to provide funding for the management of geologic programs, geologic mapping, geophysical and other seismic studies, seismic monitoring programs, and the preservation

*and use of geologic and geophysical data, geothermal and geopressure energy resource management, unconventional energy resources management, and renewable energy management associated with ocean wave, current, and thermal resources;*

*(2) make available receipts derived from sales, bonus bids, royalties, and fees from onshore and offshore gas, minerals, oil, and any additional form of energy exploration and development under the laws of the United States for the purposes of the such fund;*

*(3) distribute funds from such fund each fiscal year to the Secretary of the Interior and the States; and*

*(4) use the distributed funds to manage activities conducted under this section, and to secure the necessary trained workforce, contractual services, and other support, including maintenance and capital investments, to perform the functions and activities described in paragraph (1).*

*(c) DEFINITIONS.—In this section:*

*(1) GEO FUND.—The term ''Geo Fund'' means the National Geo Fund established by subsection (d).*

*(2) STATE.—The term ''State'' means the agency of a State designated by its Governor or State law to perform the functions and activities described in subsection (b)(1).*

*(d) ESTABLISHMENT AND USE OF THE GEO FUND.—*

*(1) GEO FUND.—There is established in the Treasury a separate account to be known as the ''National Geo Fund''.*

*(2) FUNDING.—The Secretary of the Treasury shall deposit in the Geo Fund—*

*(A) such sums as are provided by sections 9(b)(5)(A)(iv), 9(b)(5)(B)(iv), 9(c)(4)(A)(iv), and 9(c)(4)(B)(iv) of the Outer Continental Shelf Lands Act, as amended by this Act;*

*(B)(i) during the period of October 1, 2006, through September 30, 2015, one percent of all sums paid into the Treasury under section 35 of the Mineral Leasing Act (30 U.S.C. 191), and*

*(ii) beginning October 1, 2015, and thereafter, 2.5 percent of all sums paid into the Treasury under section 35 of the Mineral Leasing Act (30 U.S.C. 191);*

*(C)(i) during the period of October 1, 2006, through September 30, 2015, one percent of all sums paid into the Treasury from receipts derived from bonus bids and royalties from other mineral leasing on public lands, and*

*(ii) beginning October 1, 2015, and thereafter, 2.5 percent of all sums paid into the Treasury from receipts derived from bonus bids and royalties from other mineral leasing on public lands; and*

*(D) $65,000,000 from outer Continental Shelf bonus bids, royalties, and conservation of resources fees received in fiscal year 2007, and $50,000,000 from outer Continental Shelf bonus bids, royalties, and conservation of resources fees received in each of fiscal years 2008, 2009, 2010, 2011, 2012, and 2013, 75 percent of which shall be used to implement subsection (g) and all of which shall remain available until expended.*

*(3) INVESTMENTS.—The Secretary of the Treasury shall invest the amounts deposited under paragraph (2) and all accrued interest on the amounts deposited under paragraph (2) only in interest bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.*

*(4) AVAILABILITY TO SECRETARY OF THE INTERIOR.—*

*(A) IN GENERAL.—Beginning with fiscal year 2007, and in each fiscal year thereafter, one-third of amounts deposited into the Geo Fund, unless otherwise specified herein, together with the interest thereon, shall be available, without fiscal year limitations, to the Secretary of the Interior for use for the purposes described in subsection (b)(4).*

*(B) WITHDRAWALS AND TRANSFER OF FUNDS.—The Secretary of the Treasury shall withdraw such amounts from the Geo Fund as the Secretary of the Interior may request, subject to the limitation in subparagraph (A), and transfer such amounts to the Secretary of the Interior to be used, at the discretion of the Secretary of the Interior, by the Minerals Management Service, the Bureau of Land Management, and the United States Geological Survey for the purposes described in subsection (b)(4). No funds distributed from the Geo Fund may be used to purchase an interest in land.*

*(5) PAYMENT TO STATES.—*

*(A) IN GENERAL.—Beginning with fiscal year 2007, and in each fiscal year thereafter, two-thirds of amounts deposited into the Geo Fund, unless otherwise specified herein, together with the interest thereon, shall be available, without fiscal year limitations, to the States for use for the purposes described in subsection (b)(4).*

*(B) WITHDRAWALS AND TRANSFER OF FUNDS.—Within the first 90 days of each fiscal year, the Secretary of the Treasury shall withdraw amounts from the Geo Fund and transfer such amounts to the States based on a formula devised by the Secretary of the Interior based on the relative needs of the States and the needs of the Nation.*

*(C) USE OF PAYMENTS BY STATES.—Each State shall use the payments made under subparagraph (B) only for carrying out projects and programs for the purposes described in subsection (b)(4). No funds distributed from the Geo Fund may be used to purchase an interest in land.*

*(D) ENCOURAGEMENT OF USE OF PRIVATE FUNDS BY STATES.—Each State shall use the payments made under subparagraph (B) to leverage private funds for carrying out projects for the purposes described in subsection (b)(4).*

*(E) REPORT TO CONGRESS.—Beginning in fiscal year 2008 and continuing for each fiscal year thereafter, the Secretary of the Interior and each State receiving funds from the Geo Fund shall submit a report to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives. Reports submitted to the Congress by the Secretary of the Interior and the States shall include detailed information regarding expenditures during the previous fiscal year.*

*(e) STRATEGIC UNCONVENTIONAL RESOURCES.—*

*(1) PROGRAM.—The Secretary of the Interior shall establish a program for production of fuels from strategic unconventional resources, and production of oil and gas resources using CO2 enhanced recovery. The program shall focus initially on activities and domestic resources most likely to result in significant production in the near future, and shall include work necessary to improve extraction techniques, including surface and in situ operations. The program shall include characterization and assessment of potential resources, a sampling program, appropriate laboratory and other analyses and testing, and assessment of methods for exploration and development of these strategic unconventional resources.*

*(2) PILOT PROJECTS.—The program created in paragraph (1) shall include, but not be limited to, pilot projects on (A) the Maverick Basin heavy oil and tar sands formations of Texas, including the San Miguel deposits, (B) the Greater Green River Basin heavy oil, oil shale, tar sands, and coal deposits of Colorado, Utah, and Wyoming, (C) the shale, tar sands, heavy oil, and coal deposits in the Alabama-Mississippi-Tennessee region, (D) the shale, tar sands, heavy oil, and coal deposits in the Ohio River valley, and (E) strategic unconventional resources in California. The Secretary shall identify and report to Congress on feasible incentives to foster recovery of unconventional fuels by private industry within the United States. Such incentives may include, but are not limited to, long-term contracts for the purchase of unconventional fuels for defense purposes, Federal grants and loan guarantees for necessary capital expenditures, and favorable terms for the leasing of Government lands containing unconventional resources.*

*(3) DEFINITIONS.—In this subsection:*

*(A) STRATEGIC UNCONVENTIONAL RESOURCES.—The term ''strategic unconventional resources'' means hydrocarbon resources, including heavy oil, oil shale, tar sands, and coal deposits, from which liquid fuels may be produced.*

*(B) IN SITU EXTRACTION METHODS.—The term ''in situ extraction methods'' means recovery techniques that are applied to the resources while they are still in the ground, and are in commercial use or advanced stages of development. Such techniques include, but are not limited to, steam flooding, steam-assisted gravity drainage (including combination with electric power generation where appropriate), cyclic steam stimulation, air injection, and chemical treatment.*

*(4) FUNDING.—The Secretary shall carry out the program for the production of strategic unconventional fuels with funds from the Geo Fund in each of fiscal years 2007 through 2011 in the amount of not less than $35,000,000 each year. Each pilot project shall be allocated not less than $4,000,000 per year in each of fiscal years 2007 through 2011.*

*(f) SUPPORT OF GEOTHERMAL AND GEOPRESSURE OIL AND GAS ENERGY PRODUCTION.—*

*(1) IN GENERAL.—The Secretary shall carry out a grant program in support of geothermal and geopressure oil and gas energy production. The program shall include grants for a total of not less than three assessments of the use of innovative geothermal techniques such as organic rankine cycle systems at marginal, unproductive, and productive oil and gas wells, and not less than one assessment of the use of innovative geopressure techniques. The Secretary shall, to the extent practicable and in the public interest, make awards that—*

*(A) include not less than five oil or gas well sites per project award;*

*(B) use a range of oil or gas well hot water source temperatures from 150 degrees Fahrenheit to 300 degrees Fahrenheit;*

*(C) use existing or new oil or gas wells;*

*(D) cover a range of sizes from 175 kilowatts to one megawatt;*

*(E) are located at a range of sites including tribal lands, Federal lease, State, or privately owned sites;*

*(F) can be replicated at a wide range of sites;*

*(G) facilitate identification of optimum techniques among competing alternatives;*

*(H) include business commercialization plans that have the potential for production of equipment at high volumes and operation and support at a large number of sites; and*

*(I) satisfy other criteria that the Secretary determines are necessary to carry out the program. The Secretary shall give preference to assessments that address multiple elements contained in subparagraphs (A) through (I).*

*(2) GRANT AWARDS.—*

*(A) IN GENERAL.—Each grant award for assessment of innovative geothermal or geopressure technology such as organic rankine cycle systems at oil and gas wells made by the Secretary under this section shall include—*

*(i) necessary and appropriate site engineering study;*

*(ii) detailed economic assessment of site specific conditions;*

*(iii) appropriate feasibility studies to determine ability for replication;*

*(iv) design or adaptation of existing technology for site specific circumstances or conditions;*

*(v) installation of equipment, service, and support; and*

*(vi) monitoring for a minimum of one year after commissioning date.*

*(3) COMPETITIVE GRANT SELECTION.—Not less than 180 days after the date of the enactment of this Act, the Secretary shall conduct a national solicitation for applications for grants under the program. Grant recipients shall be selected on a competitive basis based on criteria in subsection (b).*

*(4) FEDERAL SHARE.—The Federal share of costs of grants under this subsection shall be provided from funds made available to carry out this section. The Federal share of the cost of a project carried out with such a grant shall not exceed 50 percent of such cost.*

*(5) FUNDING.—The Secretary shall carry out the grant program under this subsection with funds from the Geo Fund in each of fiscal years 2007 through 2011 in the amount of not less than $5,000,000 each fiscal year. No funds authorized under this section may be used for the purposes of drilling new wells.*

*(6) AMENDMENT.—Section 4 of the Geothermal Steam Act of 1970 (30 USC 1003) is amended by adding at the end the following:*

*''(h) GEOTHERMAL RESOURCES CO-PRODUCED WITH THE MINERALS.—Any person who holds a lease or who operates a cooperative or unit plan under the Mineral Leasing Act, in the absence of an existing lease for geothermal resources under this Act, shall upon notice to the Secretary have the right to utilize any geothermal resources co-produced with the minerals for which the lease was issued during the operation of that lease or cooperative or unit plan, for the generating of electricity to operate the lease. Any electricity that is produced in excess of that which is required to operate the lease and that is sold for purposes outside of the boundary of the lease shall be subject to the requirements of section 5.''*

*(g) LIQUID FUELS GRANT PROGRAM.—*

*(1) PROGRAM.—The Secretary of the Interior shall establish a grant program for facilities for coal-to-liquids, petroleum coke-to-liquids, oil shale, tar sands, heavy oil, and Alaska natural gas-to-liquids and to assess the production of low-rank coal water fuel (in this subsection referred to as ''LRCWF'').*

*(2) LRCWF.—The LRCWF grant project location shall use lignite coal from fields near the Tombigbee River within 60 miles of a land-grant college and shall be allocated $15,000,000 for expenditure during fiscal year 2007.*

*(3) DEFINITIONS.—In this subsection:*

*(A) COAL-TO-LIQUIDS FRONT-END ENGINEERING AND DESIGN.—The terms ''coal-to-liquids front-end engineering and design'' and ''FEED'' mean those expenditures necessary to engineer, design, and obtain permits for a facility for a particular geographic location which will utilize a process or technique to produce liquid fuels from coal resources.*

*(B) LOW-RANK COAL WATER FUEL.—In this subsection the term ''low-rank coal water fuel'' means a liquid fuel produced from hydrothermal treatment of lignite and sub-bituminous coals.*

*(4) GRANT PROVISIONS.—All grants shall require a 50 percent non-Federal cost share. The first 4 FEED grant recipients who receive full project construction financing commitments, based on earliest calendar date, shall not be required to repay any of their grants. The next 4 FEED grant recipients who receive such commitments shall be required to repay 25 percent of the grant. The next 4 FEED grant recipients who receive such commitments shall be required to repay 50 percent of the grant, and the remaining FEED grant recipeints shall be required to repay 75 percent of the grant. The LRCWF recipient shall not be required to repay the grant. Any required repayment shall be paid as part of the closing process for any construction financing relating to the grant. No repayment shall require the payment of interest if repaid within 5 years of the issuance of the grant. FEED grants shall be be limited to a maximum of $1,000,000 per 1,000 barrels per day of liquid fuels production capacity, not to exceed $25 million per year.*

*(5) FUNDING.—The Secretary shall carry out the grant program established by this subsection with funds from the Geo Fund.*

*(h) RENEWABLE ENERGY FROM OCEAN WAVE, CURRENT, AND THERMAL RESOURCES.—*

*(1) PROGRAM.—The Secretary of the Interior shall establish a grant program for the production of renewable energy from ocean waves, currents, and thermal resources.*

*(2) GRANT PROVISIONS.—All grants under this subsection shall require a 50 percent non-Federal cost share.*

*(3) FUNDING.—The Secretary shall carry out this grant program with funds from the Geo Fund in each of fiscal years 2007 through 2011 in the amount of not less than $6,000,000 each year, and thereafter in such amounts as the Secretary may find appropriate.*

*(i) AMENDMENT TO THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977.—Section 517 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1267) is amended by adding adding at the end the following:*

*''(i) Any person who provides the regulatory authority with a map under subsection (b)(1) shall not be liable to any other person in any way for the accuracy or completeness of any such map which was not prepared and certified by or on behalf of such person.''.*

***SEC. 27. LEASES FOR AREAS LOCATED WITHIN 100 MILES OF CALIFORNIA OR FLORIDA.***

*(a) AUTHORIZATION TO CANCEL AND EXCHANGE CERTAIN EXISTING OIL AND GAS LEASES; PROHIBITION ON SUBMITTAL OF EXPLORATION PLANS FOR CERTAIN LEASES PRIOR TO JUNE 30, 2010.—*

*(1) AUTHORITY.—Within 2 years after the date of enactment of this Act, the lessee of an existing oil and gas lease for an area located completely within 100 miles of the coastline within the California or Florida Adjacent Zones shall have the option, without compensation, of exchanging such lease for a new oil and gas lease having a primary term of 5 years. For the area subject to the new lease, the lessee may select any unleased tract on the outer Continental Shelf that is in an area available for leasing. Further, with the permission of the relevant Governor, such a lessee may convert its existing oil and gas lease into a natural gas lease having a primary term of 5 years and covering the same area as the existing lease or another area within the same State's Adjacent Zone within 100 miles of the coastline.*

*(2) ADMINISTRATIVE PROCESS.—The Secretary of the Interior shall establish a reasonable administrative process to implement paragraph (1). Exchanges and conversions under subsection (a), including the issuance of new leases, shall not be considered to be major Federal actions for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.). Further, such actions conducted in accordance with this section are deemed to be in compliance all provisions of the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).*

*(3) OPERATING RESTRICTIONS.—A new lease issued in exchange for an existing lease under this section shall be subject to such national defense operating stipulations on the OCS tract covered by the new lease as may be applicable upon issuance.*

*(4) PRIORITY.—The Secretary shall give priority in the lease exchange process based on the amount of the original bonus bid paid for the issuance of each lease to be exchanged. The Secretary shall allow leases covering partial tracts to be exchanged for leases covering full tracts conditioned upon payment of additional bonus bids on a per-acre basis as determined by the average per acre of the original bonus bid per acre for the partial tract being exchanged.*

*(5) EXPLORATION PLANS.—Any exploration plan submitted to the Secretary of the Interior after the date of the enactment of this Act and before July 1, 2010, for an oil and gas lease for an area wholly within 100 miles of the coastline within the California Adjacent Zone or Florida Adjacent Zone shall not be treated as received by the Secretary until the earlier of July 1, 2010, or the date on which a petition by the Adjacent State for oil and gas leasing covering the area within which is located the area subject to the oil and gas lease was approved.*

*(b) FURTHER LEASE CANCELLATION AND EXCHANGE PROVISIONS.—*

*(1) CANCELLATION OF LEASE.—As part of the lease exchange process under this section, the Secretary shall cancel a lease that is exchanged under this section.*

*(2) CONSENT OF LESSEES.—All lessees holding an interest in a lease must consent to cancellation of their leasehold interests in order for the lease to be cancelled and exchanged under this section.*

*(3) WAIVER OF RIGHTS.—As a prerequisite to the exchange of a lease under this section, the lessee must waive any rights to bring any litigation against the United States related to the transaction.*

*(4) PLUGGING AND ABANDONMENT.—The plugging and abandonment requirements for any wells located on any lease to be cancelled and exchanged under this section must be complied with by the lessees prior to the cancellation and exchange.*

*(c) AREA PARTIALLY WITHIN 100 MILES OF FLORIDA.—An existing oil and gas lease for an area located partially within 100 miles of the coastline within the Florida n Adjacent Zone may only be developed and produced using wells drilled from well-head locations at least 100 miles from the coastline to any bottom-hole location on the area of the lease. This subsection shall not apply if Florida has petitioned for leasing closer to the coastline than 100 miles.*

*(d) EXISTING OIL AND GAS LEASE DEFINED.—In this section the term ''existing oil and gas lease'' means an oil and gas lease in effect on the date of the enactment of this Act.*

***SEC. 28. COASTAL IMPACT ASSISTANCE.***

*Section 31 of the Outer Continental Shelf Lands Act (43 U.S.C. 1356a) is repealed.*

***SEC. 29. OIL SHALE AND TAR SANDS AMENDMENTS.***

*(a) REPEAL OF REQUIREMENT TO ESTABLISH PAYMENTS.—Section 369(o) of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 728; 42 U.S.C. 15927) is repealed.*

*(b) TREATMENT OF REVENUES.—Section 21 of the Mineral Leasing Act (30 U.S.C. 241) is amended by adding at the end the following:*

*''(e) REVENUES.—*

*''(1) IN GENERAL.—Notwithstanding the provisions of section 35, all revenues received from and under an oil shale or tar sands lease shall be disposed of as provided in this subsection.*

*''(2) ROYALTY RATES FOR COMMERCIAL LEASES.—*

*''(A) ROYALTY RATES.—The Secretary shall model the royalty schedule for oil shale and tar sands leases based on the royalty program currently in effect for the production of synthetic crude oil from oil sands in the Province of Alberta, Canada.*

*''(B) REDUCTION.—The Secretary shall reduce any royalty otherwise required to be paid under subparagraph (A) under any oil shale or tar sands lease on a sliding scale based upon market price, with a 10 percent reduction if the average futures price of NYMEX Light Sweet Crude, or a similar index, drops, for the previous quarter year, below $50 (in January 1, 2006, dollars), and an 80 percent reduction if the average price drops below $30 (in January 1, 2006, dollars) for the quarter previous to the one in which the production is sold.*

*''(3) DISPOSITION OF REVENUES.—*

*''(A) DEPOSIT.—The Secretary shall deposit into a separate account in the Treasury all revenues derived from any oil shale or tar sands lease.*

*''(B) ALLOCATIONS TO STATES AND LOCAL POLITICAL SUBDIVISIONS.—The Secretary shall allocate 50 percent of the revenues deposited into the account established under subparagraph (A) to the State within the boundaries of which the leased lands are located, with a portion of that to be paid directly by the Secretary to the State's local political subdivisions as provided in this paragraph.*

*''(C) TRANSMISSION OF ALLOCATIONS.—*

*''(i) IN GENERAL.—Not later than the last business day of the month after the month in which*

*the revenues were received, the Secretary shall transmit—*

*''(I) to each State two-thirds of such State's allocations under subparagraph (B), and in accordance with clauses (ii) and (iii) to certain county-equivalent and municipal political subdivisions of such State a total of one-third of such State's allocations under subparagraph (B), together with all accrued interest thereon; and*

*''(II) the remaining balance of such revenues deposited into the account that are not allocated under subparagraph (B), together with interest thereon, shall be transmitted to the miscellaneous receipts account of the Treasury, except that until a lease has been in production for 20 years 50 percent of such remaining balance derived from a lease shall be paid in accordance with subclause (I).*

*''(ii) ALLOCATIONS TO CERTAIN COUNTY-EQUIVALENT POLITICAL SUBDIVISIONS.—The Secretary shall under clause (i)(I) make equitable allocations of the revenues to county-equivalent political subdivisions that the Secretary determines are closely associated with the leasing and production of oil shale and tar sands, under a formula that the Secretary shall determine by regulation.*

*''(iii) ALLOCATIONS TO MUNICIPAL POLITICAL SUBDIVISIONS.—The initial allocation to each county-equivalent political subdivision under clause (ii) shall be further allocated to the county-equivalent political subdivision and any municipal political subdivisions located partially or wholly within the boundaries of the county-equivalent political subdivision on an equitable basis under a formula that the Secretary shall determine by regulation.*

*''(D) INVESTMENT OF DEPOSITS.—The deposits in the Treasury account established under this section shall be invested by the Secretary of the Treasury in securities backed by the full faith and credit of the United States having maturities suitable to the needs of the account and yielding the highest reasonably available interest rates as determined by the Secretary of the Treasury.*

*''(E) USE OF FUNDS.—A recipient of funds under this subsection may use the funds for any lawful purpose as determined by State law. Funds allocated under this subsection to States and local political subdivisions may be used as matching funds for other Federal programs without limitation. Funds allocated to local political subdivisions under this subsection may not be used in calculation of payments to such local political subdivisions under programs for payments in lieu of taxes or other similar programs.*

*''(F) NO ACCOUNTING REQUIRED.—No recipient of funds under this subsection shall be required to account to the Federal Government for the expenditure of such funds, except as otherwise may be required by law.*

*''(4) DEFINITIONS.—In this subsection:*

*''(A) COUNTY-EQUIVALENT POLITICAL SUBDIVISION.—The term 'county-equivalent political subdivision' means a political jurisdiction immediately below the level of State government, including a county, parish, borough in Alaska, independent municipality not part of a county, parish, or borough in Alaska, or other equivalent subdivision of a State.*

*''(B) MUNICIPAL POLITICAL SUBDIVISION.—The term 'municipal political subdivision' means a municipality located within and part of a county, parish, borough in Alaska, or other equivalent subdivision of a State.''.*

***SEC. 30. AVAILABILITY OF OCS RECEIPTS TO PROVIDE PAYMENTS UNDER SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.***

*Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended by inserting after subsection (i), as added by section 7 of this Act, the following new subsection:*

*''(j) AVAILABILITY OF FUNDS FOR PAYMENTS UNDER SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.—Notwithstanding any other provision of this section, $50,000,000 of OCS Receipts shall be available to the Secretary of the Treasury for each of fiscal years 2007 through 2012 to make payments under sections 102 and 103 of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C. 500 note). The Secretary of the Treasury shall use the funds made available by this subsection to make such payments in lieu of using funds in the Treasury not otherwise appropriated, as otherwise authorized by sections 102(b)(3) and 103(b)(2) of such Act.''.*

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 109–540. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. POMBO

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 109–540.

Mr. POMBO. Mr. Chairman, I have an amendment made in order under House Resolution 897.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. POMBO:

Page 12, line 4, strike ''December 1, 1996, through December 31, 2000,'' and insert ''January 1, 1998, through December 31, 1999,''.

Page 12, line 18, strike subsection (t).

Page 13, line 19, strike ''not less than $1.00 nor more than $4.00'' and insert ''$3.75''.

Page 16, line 8, strike ''6.0'' and insert ''4.6''.

Page 16, line 9, strike ''7.0'' and insert ''5.95''.

Page 16, line 10, strike ''8.0'' and insert ''6.8''.

Page 16, line 11, strike ''9.0'' and insert ''7.65''.

Page 16, line 12, strike ''12.0'' and insert ''10.20''.

Page 16, line 13, strike ''15.0'' and insert ''12.75''.

Page 16, line 15, strike ''18.0'' and insert ''15.30''.

Page 16, line 17, strike ''21.0'' and insert ''17.85''.

Page 16, line 19, strike ''24.0'' and insert ''20.40''.

Page 16, line 21, strike ''27.0'' and insert ''22.95''.

Page 16, line 22, strike ''30.0'' and insert ''25.50''.

Page 16, line 24, strike ''33.0'' and insert ''28.05''.

Page 17, line 1, strike ''36.0'' and insert ''30.60''.

Page 17, line 3, strike ''39.0'' and insert ''33.15''.

Page 17, line 5, strike ''42.0'' and insert ''35.70''.

Page 17, line 7, strike ''45.0'' and insert ''38.25''.

Page 17, line 10, strike ''50.0'' and insert ''42.50''.

Page 17, line 17, strike ''50'' and insert ''42.50''.

Page 17, line 23, strike the existing paragraph (4) and insert the following:

''(4) RECEIPTS SHARING FROM TRACTS WITHIN 4 MARINE LEAGUES OF ANY COASTLINE.—

''(A) AREAS DESCRIBED IN PARAGRAPH (2).—

''(i) Beginning October 1, 2005, and continuing through September 30, 2010, the Secretary shall share 25 percent of OCS Receipts derived from all leases located within 4 marine leagues from any coastline within areas described in paragraph (2). For each fiscal year after September 30, 2010, the Secretary shall increase the percent shared in 5 percent increments each fiscal year until the sharing rate for all leases located within 4 marine leagues from any coastline within areas described in paragraph (2) becomes 42.5 percent.

''(ii) During fiscal year 2016, the Secretary shall conduct an analysis of all of the areas described in paragraph (3) and subsection (c)(3) to determine the total of OCS Receipts derived from such areas during the period of fiscal year 2007 through fiscal year 2016. The Secretary shall subtract the amount of $4 billion from the total of such OCS Receipts. If the result is a positive number, the Secretary shall divide such positive number by $4 billion. The resulting quotient, not to exceed 0.5, shall then be multiplied times 25. The product of such multiplication shall be added to 42.5 and the sum shall be the percent that the Secretary shall share for fiscal year 2017 and all future years from OCS Receipts derived from all leases located within 4 marine leagues from any coastline within areas described in paragraph (2), unless increased by the provisions of (iii).

''(iii) Beginning October 1, 2017, the Secretary shall share, in addition to the share established by (i), as modified by (ii) if any, amounts determined as follows, with the total of the amounts shared under this paragraph not to exceed in any fiscal year an amount equal to 63.75 percent of total OCS Receipts derived from all leases located within 4 marine leagues from any coastline within areas described in paragraph (2)—25 percent of the total of OCS Receipts derived from areas described in paragraph (3) and subsection (c)(3) that exceed the following amounts for the fiscal year indicated: for fiscal year 2017 the amount of $900,000,000 and for each fiscal year thereafter add $100,000,000. Amounts added under this clause to be shared, if any, for any fiscal year shall be added to the sharing base for all subsequent years and shall be allocated among State Adjacent Zones on a basis proportional to the result from the calculation in clause (i).

''(B) AREAS NOT DESCRIBED IN PARAGRAPH (2).—Beginning October 1, 2005, the Secretary shall share 63.75 percent of OCS receipts derived from all leases located completely or partially within 4 marine leagues from any coastline within areas not described paragraph (2).''.

Page 18, beginning at line 11, strike ''as follows:'' and all that follows through line 22 and insert ''to the Adjacent State.''.

Page 19, beginning at line 2, strike ''as follows:'' and all that follows through line 3 and insert ''to the Adjacent State''.

Page 19, lines 12 through 19, redesignate the quoted subclauses (I) and (II) as clauses (i) and (ii), and move such clauses 2 ems to the left.

Page 19, strike line 20 and all that follows through page 20, line 6.

Page 21, line 17, strike ''6.0'' and insert ''4.6''.

Page 21, line 18, strike ''7.0'' and insert ''5.95''.

Page 21, line 19, strike ''8.0'' and insert ''6.80''.

Page 21, line 20, strike ''9.0'' and insert ''7.65''.

Page 21, line 21, strike ''12.0'' and insert ''10.20''.

Page 21, line 22, strike ''15.0'' and insert ''12.75''.

Page 21, line 24, strike ''18'' and insert ''15.30''.

Page 22, line 1, strike ''21.0'' and insert ''17.85''.

Page 22, line 3, strike ''24.0'' and insert ''20.40''.

Page 22, line 5, strike ''27.0'' and insert ''22.95''.

Page 22, line 6, strike ''30.0'' and insert ''25.50''.

Page 22, line 8, strike ''33.0'' and insert ''28.05''.

Page 22, line 10, strike ''36.0'' and insert ''30.60''.

Page 22, line 12, strike ''39.0'' and insert ''33.15''.

Page 22, line 14, strike ''42.0'' and insert ''35.70''.

Page 22, line 16, strike ''45.0'' and insert ''38.25''.

Page 22, line 19, strike ''50.0'' and insert ''42.50''.

Page 23, line 2, strike ''50'' and insert ''42.5''.

Page 23, line 6, strike the period and insert the following: '', except that the Secretary shall only share 25 percent of such OCS Receipts derived from all such leases within a State's Adjacent Zone if no leasing is allowed within any portion of that State's Adjacent Zone located completely within 100 miles of any coastline.''.

Page 23, beginning on line 13, strike ''each fiscal year'' and all that follows through line 25 and insert ''each fiscal year to the Adjacent State''.

Page 24, beginning at line 4, strike ''as follows:'' and all that follows through line 5 and insert ''to the Adjacent State''.

Page 24, lines 15 through 22, redesignate the quoted subclauses (I) and (II) as clauses (i) and (ii), and move such clauses 2 ems to the left.

Page 24, strike line 23 and all that follows through page 25, line 6.

Page 25, strike lines 11 through 20 and insert the following:

''(A) to each State 60 percent of such State's allocations under subsections (b)(5)(A), (b)(5)(B), (c)(4)(A), and (c)(4)(B) for the immediate prior fiscal year;

''(B) to each coastal county-equivalent and municipal political subdivisions of such State a total of 40 percent of such State's allocations under subsections (b)(5)(A), (b)(5)(B), (c)(4)(A), and (c)(4)(B), together with all accrued interest thereon; and

Page 34, beginning at line 15, strike section 8.

Page 37, beginning at line 18, strike ''was initiated'' and all that follows through the end of the sentence and insert ''is extended by a State under subsection (h)''.

Page 37, line 20, strike the period and insert the following: '', nor may the President withdraw from leasing any area for which a State failed to prohibit, or petition to prohibit, leasing under subsection (g). Further, in the area of the outer Continental Shelf more than 100 miles from any coastline, not more than 25 percent of the acreage of any OCS Planning Area may be withdrawn from leasing under this section at any point in time.''.

Page 40, line 16, insert a period after the word ''effect'' and strike the remainder of the sentence.

Page 41, line 7, strike ''June 30'' and insert ''April 30''.

Page 46, line 7, strike ''PETITION FOR EXTENSION OF'' and insert ''EXTEND''.

Page 46, strike lines 10 through 12 and insert the following:

''(1) IN GENERAL.—A State, through its Governor and upon the concurrence of its legislature, may''.

Page 46, line 14, strike ''petition'' and insert ''extension''.

Page 46, line 18, strike ''petition'' and insert ''extend''.

Page 46, beginning at line 20, strike ''submit separate petitions'' and insert ''prepare separate extensions''.

Page 46, beginning at line 22, strike ''A petition of a State may request'' and insert ''An extension by a State may affect''.

Page 46, beginning at line 25, strike ''Petitions for extending'' and insert ''Extensions of''.

Page 47, strike line 11 and all that follows through page 48, line 6.

Page 48, strike the close quotation marks and the following period at line 20, and after line 20 insert the following:

''(j) PROHIBITION ON LEASING EAST OF THE MILITARY MISSION LINE.—

''(1) Notwithstanding any other provision of law, from and after the enactment of the Deep Ocean Energy Resources Act of 2006, no area of the outer Continental Shelf located in the Gulf of Mexico east of the military mission line may be offered for leasing for oil and gas or natural gas.

''(2) In this subsection, the term 'military mission line' means a line located at 86 degrees, 41minutes West Longitude, and extending south from the coast of Florida to the outer boundary of United States territorial waters in the Gulf of Mexico.''.

Page 55, beginning at line 3, strike section 13.

Page 61, beginning at line 20, amend section 14 to read as follows:

**SEC. 14. FEDERAL ENERGY NATURAL RESOURCES ENHANCEMENT ACT OF 2006.**

(a) FINDINGS.—The Congress finds the following:

(1) Energy and minerals exploration, development, and production on Federal onshore and offshore lands, including bio-based fuel, natural gas, minerals, oil, geothermal, and power from wind, waves, currents, and thermal energy, involves significant outlays of funds by Federal and State wildlife, fish, and natural resource management agencies for environmental studies, planning, development, monitoring, and management of wildlife, fish, air, water, and other natural resources.

(2) State wildlife, fish, and natural resource management agencies are funded primarily through permit and license fees paid to the States by the general public to hunt and fish, and through Federal excise taxes on equipment used for these activities.

(3) Funds generated from consumptive and recreational uses of wildlife, fish, and other natural resources currently are inadequate to address the natural resources related to energy and minerals development on Federal onshore and offshore lands.

(4) Funds available to Federal agencies responsible for managing Federal onshore and offshore lands and Federal-trust wildlife and fish species and their habitats are inadequate to address the natural resources related to energy and minerals development on Federal onshore and offshore lands.

(5) Receipts derived from sales, bonus bids, and royalties under the mineral leasing laws of the United States are paid to the Treasury through the Minerals Management Service of the Department of the Interior.

(6) None of the receipts derived from sales, bonus bids, and royalties under the minerals leasing laws of the United States are paid to the Federal or State agencies to examine, monitor, and manage wildlife, fish, air, water, and other natural resources related to natural gas, oil, and mineral exploration and development.

(b) PURPOSES.—It is the purpose of this section to—

(1) authorize expenditures for the monitoring and management of wildlife and fish, and their habitats, and air, water, and other natural resources related to energy and minerals development on Federal onshore and offshore lands;

(2) authorize expenditures for each fiscal year to the Secretary of the Interior and the States; and

(3) use the appropriated funds to secure the necessary trained workforce or contractual services to conduct environmental studies, planning, development, monitoring, and post-development management of wildlife and fish and their habitats and air, water, and other natural resources that may be related to bio-based fuel, gas, mineral, oil, wind, or other energy exploration, development, transportation, transmission, and associated activities on Federal onshore and offshore lands, including, but not limited to—

(A) pertinent research, surveys, and environmental analyses conducted to identify any impacts on wildlife, fish, air, water, and other natural resources from energy and mineral exploration, development, production, and transportation or transmission;

(B) projects to maintain, improve, or enhance wildlife and fish populations and their habitats or air, water, or other natural resources, including activities under the Endangered Species Act of 1973;

(C) research, surveys, environmental analyses, and projects that assist in managing, including mitigating either onsite or offsite, or both, the impacts of energy and mineral activities on wildlife, fish, air, water, and other natural resources; and

(D) projects to teach young people to live off the land.

(c) DEFINITIONS.—In this section:

(1) ENHANCEMENT PROGRAM.—The term ''Enhancement Program'' means the Federal Energy Natural Resources Enhancement Program established by this section.

(2) STATE.—The term ''State'' means the Governor of the State.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the Enhancement Program $150,000,000 for each of fiscal years 2007 through 2017.

(e) ESTABLISHMENT OF FEDERAL ENERGY NATURAL RESOURCES ENHANCEMENT PROGRAM.—

(1) IN GENERAL.—There is established the Federal Energy Natural Resources Enhancement Program.

(2) PAYMENT TO SECRETARY OF THE INTERIOR.—Beginning with fiscal year 2007, and in each fiscal year thereafter, one-third of amounts appropriated for the Enhancement Program shall be available to the Secretary of the Interior for use for the purposes described in subsection (b)(3).

(3) PAYMENT TO STATES.—

(A) IN GENERAL.—Beginning with fiscal year 2007, and in each fiscal year thereafter, two-thirds of amounts appropriated for the Enhancement Program shall be available to the States for use for the purposes described in (b)(3).

(B) USE OF PAYMENTS BY STATE.—Each State shall use the payments made under this paragraph only for carrying out projects and programs for the purposes described in (b)(3).

(C) ENCOURAGE USE OF PRIVATE FUNDS BY STATE.—Each State shall use the payments made under this paragraph to leverage private funds for carrying out projects for the purposes described in (b)(3).

(f) LIMITATION ON USE.—Amounts made available under this section may not be used for the purchase of any interest in land.

(g) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Beginning in fiscal year 2008 and continuing for each fiscal year thereafter, the Secretary of the Interior and each State receiving funds from the Enhancement Fund shall submit a report to the

Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(2) REQUIRED INFORMATION.—Reports submitted to the Congress by the Secretary of the Interior and States under this subsection shall include the following information regarding expenditures during the previous fiscal year:

(A) A summary of pertinent scientific research and surveys conducted to identify impacts on wildlife, fish, and other natural resources from energy and mineral developments.

(B) A summary of projects planned and completed to maintain, improve or enhance wildlife and fish populations and their habitats or other natural resources.

(C) A list of additional actions that assist, or would assist, in managing, including mitigating either onsite or offsite, or both, the impacts of energy and mineral development on wildlife, fish, and other natural resources.

(D) A summary of private (non-Federal) funds used to plan, conduct, and complete the plans and programs identified in paragraphs (2)(A) and (2)(B).

Page 72, line 14, insert after ''offshore,'' the following: ''but not including any outer Continental Shelf oil and gas leases that are subject to litigation in the Court of Federal Claims on January 1, 2006,''.

Page 75, beginning at line 13, strike section 19.

Page 87, beginning at line 18, strike section 23 and insert the following:

**SEC. 23. MINING AND PETROLEUM SCHOOLS.**

(a) MAINTENANCE AND RESTORATION OF EXISTING AND HISTORIC PETROLEUM AND MINING ENGINEERING PROGRAMS.—Public Law 98–409 (30 U.S.C. 1221 et seq.) is amended to read as follows:

**''SECTION 1. SHORT TITLE.**

''This Act may be cited as the 'Energy and Mineral Schools Reinvestment Act'.

**''SEC. 2. POLICY.**

''It is the policy of the United States to maintain the human capital needed to preserve and foster the economic, energy, and mineral resources security of the United States. The petroleum and mining engineering programs and the applied geology and geophysics programs at State chartered schools, universities, and institutions that produce human capital are national assets and should be assisted with Federal funds to ensure their continued health and existence.

**''SEC. 3. MAINTAINING AND RESTORING HISTORIC AND EXISTING PETROLEUM AND MINING ENGINEERING EDUCATION PROGRAMS.**

''(a) The Secretary of the Interior (in this Act referred to as the 'Secretary') shall provide funds to historic and existing State-chartered recognized petroleum or mining schools to assist such schools, universities, and institutions in maintaining programs in petroleum, mining, and mineral engineering education and research. All funds shall be directed only to these programs and shall be subject to the conditions of this section. Such funds shall not be less than 25 percent of the annual outlay of funds authorized by section 23(d) of the Deep Ocean Energy Resources Act of 2006.

''(b) In this Act the term 'historic and existing State-chartered recognized petroleum or mining school' means a school, university, or educational institution with the presence of an engineering program meeting the specific program criteria, established by the member societies of ABET, Inc., for petroleum, mining, or mineral engineering and that is accredited on the date of enactment of the Deep Ocean Energy Resources Act of 2006 by ABET, Inc.

''(c) It shall be the duty of each school, university, or institution receiving funds under this section to provide for and enhance the training of undergraduate and graduate petroleum, mining, and mineral engineers through research, investigations, demonstrations, and experiments. All such work shall be carried out in a manner that will enhance undergraduate education.

''(d) Each school, university, or institution receiving funds under this Act shall maintain the program for which the funds are provided for 10 years after the date of the first receipt of such funds and take steps described in its application for funding to increase the number of undergraduate students enrolled in and completing the programs of study in petroleum, mining, and mineral engineering.

''(e) The research, investigation, demonstration, experiment, and training authorized by this section may include development and production of conventional and non-conventional fuel resources, the production of metallic and non-metallic mineral resources including industrial mineral resources, and the production of stone, sand, and gravel. In all cases the work carried out with funds made available under this Act shall include a significant opportunity for participation by undergraduate students.

''(f) Research funded by this Act related to energy and mineral resource development and production may include—

''(1) studies of petroleum, mining, and mineral extraction and immediately related beneficiation technology;

''(2) mineral economics, reclamation technology, and practices for active operations;

''(3) the development of re-mining systems and technologies to facilitate reclamation that fosters the ultimate recovery of resources at abandoned petroleum, mining, and aggregate production sites; and

''(4) research on ways to extract petroleum and mineral resources that reduce the environmental impact of those activities.

''(g) Grants for basic science and engineering studies and research shall not require additional participation by funding partners. Grants for studies to demonstrate the proof of concept for science and engineering or the demonstration of feasibility and implementation shall include participation by industry and may include funding from other Federal agencies.

''(h)(1) No funds made available under this section shall be applied to the acquisition by purchase or lease of any land or interests therein, or the rental, purchase, construction, preservation, or repair of any building.

''(2) Funding made available under this section may be used with the express approval of the Secretary for proposals that will provide for maintaining or upgrading of existing laboratories and laboratory equipment. Funding for such maintenance shall not be used for university overhead expenses.

''(3) Funding made available under this Act may be used for maintaining and upgrading mines and oil and gas drilling rigs owned by a school, university, or institution described in this section that are used for undergraduate and graduate training and worker safety training. All requests for funding such mines and oil and gas drilling rigs must demonstrate that they have been owned by the school, university, or institution for 5 years prior to the date of enactment of the Deep Ocean Energy Resources Act of 2006 and have been actively used for instructional or training purposes during that time.

''(4) Any funding made available under this section for research, investigation, demonstration, experiment, or training shall not be used for university overhead charges in excess of 10 percent of the amount authorized by the Secretary.

**''SEC. 4. FORMER AND NEW PETROLEUM AND MINING ENGINEERING PROGRAMS.**

''(a) A school, university, or educational institution that formerly met the requirements of section 3(b) immediately before the date of the enactment of the Deep Ocean Energy Resources Act of 2006, or that seeks to establish a new program described in section 3(b), shall be eligible for funding under this Act only if it—

''(1) establishes a petroleum, mining, or mineral engineering program that meets the specific program criteria and is accredited as such by ABET, Inc.;

''(2) agrees to the conditions of subsections (c) through (h) of section 3 and the Secretary determines that the program will strengthen and increase the number of nationally available, well-qualified faculty members in petroleum, mining, and mineral engineering; and

''(3) agrees to maintain the accredited program for 10 years after the date of the first receipt of funds under this Act.

''(b) The Secretary shall seek the advice of the Committee established pursuant to section 11 in determining the criteria used to carry out this section.

**''SEC. 5. FUNDING OF CONSORTIA OF HISTORIC AND EXISTING SCHOOLS.**

''Where appropriate, the Secretary may make funds available to consortia of schools, universities, or institutions described in sections 3, 4, and 6, including those consortia that include schools, universities, or institutions that are ineligible for funds under this Act if those schools, universities, or institutions, respectively, have skills, programs, or facilities specifically identified as needed by the consortia to meet the necessary expenses for purposes of—

''(1) specific energy and mineral research projects of broad application that could not otherwise be undertaken, including the expenses of planning and coordinating regional petroleum, geothermal, mining, and mineral engineering or beneficiation projects by two or more schools; and

''(2) research into any aspects of petroleum, geothermal, mining, or mineral engineering or beneficiation problems, including but not limited to exploration, that are related to the mission of the Department of the Interior.

**''SEC. 6. SUPPORT FOR SCHOOLS WITH ENERGY AND MINERAL RESOURCE PROGRAMS IN PETROLEUM AND MINERAL EXPLORATION GEOLOGY, PETROLEUM GEOPHYSICS, OR MINING GEOPHYSICS.**

''(a) Twelve percent of the annual outlay of funds authorized by section 23(d) of the Deep Ocean Energy Resources Act of 2006 may be granted to schools, universities, and institutions other than those described in sections 3 and 4.

''(b) The Secretary shall determine the eligibility of a college or university to receive funding under this Act using criteria that include—

''(1) the presence of a substantial program of undergraduate and graduate geoscience instruction and research in one or more of the following specialties: petroleum geology, geothermal geology, mineral exploration geology, economic geology, industrial minerals geology, mining geology, petroleum geophysics, mining geophysics, geological engineering, or geophysical engineering that has a demonstrated history of achievement;

''(2) evidence of institutional commitment for the purposes of this Act that includes a significant opportunity for participation by undergraduate students in research;

''(3) evidence that such school, university, or institution has or can obtain significant industrial cooperation in activities within the scope of this Act;

''(4) agreement by the school, university, or institution to maintain the programs for which the funding is sought for the 10-year period beginning on the date the school, university, or institution first receives such funds; and

''(5) requiring that such funding shall be for the purposes set forth in subsections (c) through (h) of section 3 and subject to the conditions set forth in section 3(h).

''(c) The Secretary shall seek the advice of the Committee established pursuant to section 11 in determining the criteria used to carry out this section.

**''SEC. 7. DESIGNATION OF FUNDS FOR SCHOLARSHIPS AND FELLOWSHIPS.**

''(a) The Secretary shall utilize 10 percent of the annual outlay of funds authorized by section 23(d) of the Deep Ocean Energy Resources Act of 2006 for the purpose of providing merit-based scholarships for undergraduate education, graduate fellowships, and postdoctoral fellowships.

''(b) In order to receive a scholarship or a graduate fellowship, an individual student must be a lawful permanent resident of the United States or a United States citizen and must agree in writing to complete a course of studies and receive a degree in petroleum, mining, or mineral engineering, petroleum geology, geothermal geology, mining and economic geology, petroleum and mining geophysics, or mineral economics.

''(c) The regulations required by section 9 shall require that an individual, in order to retain a scholarship or graduate fellowship, must continue in one of the course of studies listed in subsection (b) of this section, must remain in good academic standing, as determined by the school, institution, or university and must allow for reinstatement of the scholarship or graduate fellowship by the Secretary, upon the recommendation of the school or institution. Such regulations may also provide for recovery of funds from an individual who fails to complete any of the courses of study listed in subsection (b) of this section after notice that such completion is a requirement of receipt funding under this Act.

''(d) To carry out this section, the Secretary shall award grants to schools, universities, and institutions that are eligible to receive funding under section 3, 4 or 6. A school, university, or institution receiving funding under this subsection shall be responsible for enforcing the requirements of this section for scholarship or fellowship students and shall return to the Secretary any funds recovered from an individual under subsection (c). An institution seeking funds under this subsection shall describe, in its application to the Secretary for funding, the number of students that would be awarded scholarships or fellowships if the application is approved, how such students would be selected, and how the provisions of this section will be enforced.

**''SEC. 8. FUNDING CRITERIA FOR INSTITUTIONS.**

''(a) Each application to the Secretary for funds under this Act shall state, among other things, the nature of the project to be undertaken; the period during which it will be pursued; the qualifications of the personnel who will direct and conduct it; the estimated costs; the importance of the project to the Nation, region, or States concerned; its relation to other known research projects theretofore pursued or being pursued; the extent to which the proposed project will maximize the opportunity for the training of undergraduate petroleum, mining, and mineral engineers; geologists and geophysicists; and the extent of participation by nongovernmental sources in the project.

''(b) No funds shall be made available under this Act except for an application approved by the Secretary. All funds shall be made available upon the basis of merit of the application, the need for the knowledge that it is expected to produce when completed, and the opportunity it provides for the undergraduate training of individuals as petroleum, mining, and mineral engineers, geologists, and geophysicists. The Secretary may use competitive review by nongovernmental experts in relevant fields to determine which applications to approve, to the extent practicable.

''(c) Funds available under this Act shall be paid at such times and in such amounts during each fiscal year as determined by the Secretary, and upon vouchers approved by the Secretary. Each school, university, or institution that receives funds under this Act shall—

''(1) establish its plan to provide for the training of individuals as petroleum, mining, and mineral engineers, geologists, and geophysicists under a curriculum appropriate to the field of mineral resources and mineral engineering and related fields;

''(2) establish policies and procedures that assure that Federal funds made available under this Act for any fiscal year will supplement and, to the extent practicable, increase the level of funds that would, in the absence of such Federal funds, be made available for purposes of this Act, and in no case supplant such funds; and

''(3) have an officer appointed by its governing authority who shall receive and account for all funds paid under this Act and shall make an annual report to the Secretary on or before the first day of September of each year, on work accomplished and the status of projects underway, together with a detailed statement of the amounts received under this Act during the preceding fiscal year, and of its disbursements on schedules prescribed by the Secretary.

''(d) If any of the funds received by the authorized receiving officer of a program under this Act are found by the Secretary to have been improperly diminished, lost, or misapplied, such funds shall be recovered by the Secretary.

''(e) Schools, universities, and institutions receiving funds under this Act are authorized and encouraged to plan and conduct programs under this Act in cooperation with each other and with such other agencies, business enterprises and individuals.

**''SEC. 9. DUTIES OF SECRETARY.**

''(a) The Secretary, acting through the Assistant Secretary for Land and Minerals Management, shall administer this Act and shall prescribe such rules and regulations as may be necessary to carry out its provisions not later than 1 year after the enactment of the Deep Ocean Energy Resources Act of 2006.

''(b)(1) There is established in the Department of the Interior, under the supervision of the Assistant Secretary for Land and Minerals Management, an office to be known as the Office of Petroleum and Mining Schools (hereafter in this Act referred to as the 'Office') to administer the provisions of this Act. There shall be a Director of the Office who shall be a member of the Senior Executive Service. The position of the Director shall be allocated from among the existing Senior Executive Service positions at the Department of the Interior and shall be a career reserved position as defined in section 3132(a)(8) of title 5, United States Code.

''(2) The Director is authorized to appoint a Deputy Director and to employ such officers and employees as may be necessary to enable the Office to carry out its functions. Such appointments shall be made from existing positions at the Department of the Interior, and shall be subject to the provisions of title 5, United States Code, governing appointments in the competitive service. Such positions shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

''(3) In carrying out his or her functions, the Director shall assist and advise the Secretary and the Committee pursuant to section 11 of this Act by—

''(A) providing professional and administrative staff support for the Committee including recordkeeping and maintaining minutes of all Committee and subcommittee meetings;

''(B) coordinating the activities of the Committee with Federal agencies and departments, and the schools, universities, and institutions to which funds are provided under this Act;

''(C) maintaining accurate records of funds disbursed for all scholarship and fellowship grants, research grants, and grants for career technical education purposes;

''(D) preparing any regulations required to implement this Act;

''(E) conducting site visits at schools, universities, and institutions receiving funding under this Act; and

''(F) serving as a central repository for reports and clearing house for public information on research funded by this Act.

''(4) The Director or an employee of the Office shall be present at each meeting of the Committee pursuant to section 11 or a subcommittee of such Committee.

''(5) The Director is authorized to contract with public or private agencies, institutions, and organizations and with individuals without regard to section 3324(a) and (b) of title 31, United States Code, and section 5 of title 41, United States Code, in carrying out his or her functions.

''(6) As needed the Director shall ascertain whether the requirements of this Act have been met by schools, universities, institutions, and individuals.

''(c) The Secretary, acting through the Office of Petroleum and Mining Schools, shall furnish such advice and assistance as will best promote the purposes of this Act, shall participate in coordinating research, investigations, demonstrations, and experiments initiated under this Act, shall indicate to schools, universities, and institutions receiving funds under this Act such lines of inquiry that seem most important, and shall encourage and assist in the establishment and maintenance of cooperation between such schools, universities, and institutions, other research organizations, the Department of the Interior, and other Federal agencies.

''(d) The Secretary shall establish procedures—

''(1) to ensure that each employee and contractor of the Office established by this section and each member of the Committee pursuant to section 11 of this Act shall disclose to the Secretary any financial interests in or financial relationships with schools, universities, institutions or individuals receiving funds, scholarships or fellowships under this Act;

''(2) to require any employee, contractor, or member of the Committee with a financial relationship disclosed under paragraph (1) to recuse themselves from—

''(A) any recommendation or decision regarding the awarding of funds, scholarships or fellowships; or

''(B) any review, report, analysis or investigation regarding compliance with the provisions of this Act by a school, university, institution or any individual.

''(e) On or before the first day of July of each year beginning after the date of enactment of this sentence, schools, universities,

and institutions receiving funds under this Act shall certify compliance with this Act and upon request of the Director of the office established by this section provide documentation of such compliance.

''(f) An individual granted a scholarship or fellowship with funds provided under this Act shall through their respective school, university, or institution, advise the Director of the office established by this Act of progress towards completion of the course of studies and upon the awarding of the degree within 30 days after the award.

''(g) The regulations required by this section shall include a preference for veterans and service members who have received or will receive either the Afghanistan Campaign Medal or the Iraq Campaign Medal as authorized by Public Law 108–234, and Executive Order 13363.

**''SEC. 10. COORDINATION.**

''(a) Nothing in this Act shall be construed to impair or modify the legal relationship existing between any of the schools, universities, and institutions under whose direction a program is established with funds provided under this Act and the government of the State in which it is located. Nothing in this Act shall in any way be construed to authorize Federal control or direction of education at any school, university, or institution.

''(b) The programs authorized by this Act are intended to enhance the Nation's petroleum, mining, and mineral engineering education programs and to enhance educational programs in petroleum and mining exploration and to increase the number of individuals enrolled in and completing these programs. To achieve this intent, the Secretary and the Committee pursuant to section 11 shall receive the continuing advice and cooperation of all agencies of the Federal Government concerned with the identification, exploration, and development of energy and mineral resources.

''(c) Nothing in this Act is intended to give or shall be construed as giving the Secretary any authority over mining and mineral resources research conducted by any agency of the Federal Government, or as repealing or diminishing existing authorities or responsibilities of any agency of the Federal Government to plan and conduct, contract for, or assist in research in its area of responsibility and concern with regard to mining and mineral resources.

''(d) The schools, universities, and institutions receiving funding under this Act shall make detailed reports to the Office of Petroleum and Mining Schools on projects completed, in progress, or planned with funds provided under this Act. All such reports shall be available to the public on not less than an annual basis through the Office of Petroleum and Mining Schools. All uses, products, processes, and other developments resulting from any research, demonstration, or experiment funded in whole or in part under this Act shall be made available promptly to the general public, subject to exception or limitation, if any, as the Secretary may find necessary in the interest of national security, and subject to the applicable Federal law governing patents.

**''SEC. 11. COMMITTEE ON PETROLEUM, MINING, AND MINERAL ENGINEERING AND ENERGY AND MINERAL RESOURCE EDUCATION.**

''(a) The Secretary shall appoint a Committee on Petroleum, Mining, and Mineral Engineering and Energy and Mineral Resource Education composed of—

''(1) the Assistant Secretary of the Interior responsible for land and minerals management and not more than 16 other persons who are knowledgeable in the fields of mining and mineral resources research, including 2 university administrators one of whom shall be from historic and existing petroleum and mining schools; a community, technical, or tribal college administrator; a career technical education educator; 6 representatives equally distributed from the petroleum, mining, and aggregate industries; a working miner; a working oilfield worker; a representative of the Interstate Oil and Gas Compact Commission; a representative from the Interstate Mining Compact Commission; a representative from the Western Governors Association; a representative of the State geologists, and a representative of a State mining and reclamation agency. In making these 16 appointments, the Secretary shall consult with interested groups.

''(2) The Assistant Secretary for Land and Minerals Management, in the capacity of the Chairman of the Committee, may have present during meetings of the Committee representatives of Federal agencies with responsibility for energy and minerals resources management, energy and mineral resource investigations, energy and mineral commodity information, international trade in energy and mineral commodities, mining safety regulation and mine safety research, and research into the development, production, and utilization of energy and mineral commodities. These representatives shall serve as technical advisors to the committee and shall have no voting responsibilities.

''(b) The Committee shall consult with, and make recommendations to, the Secretary on policy matters relating to carrying out this Act. The Secretary shall consult with and carefully consider recommendations of the Committee in such matters.

''(c) Committee members, other than officers or employees of Federal, State, or local governments, shall be, for each day (including traveltime) during which they are performing Committee business, paid at a rate fixed by the Secretary but not in excess of the daily equivalent of the maximum rate of pay for level IV of the Executive Schedule under section 5136 of title 5, United States Code, and shall be fully reimbursed for travel, subsistence, and related expenses.

''(d) The Committee shall be chaired by the Assistant Secretary of the Interior responsible for land and minerals management. There shall also be elected a Vice Chairman by the Committee from among the members referred to in this section. The Vice Chairman shall perform such duties as are determined to be appropriate by the committee, except that the Chairman of the Committee must personally preside at all meetings of the full Committee. The Committee may organize itself into such subcommittees as the Committee may deem appropriate.

''(e) Following completion of the report required by section 385 of the Energy Policy Act of 2005, the Committee shall consider the recommendations of the report, ongoing efforts in the schools, universities, and institutions receiving funding under this Act, the Federal and State Governments, and the private sector, and shall formulate and recommend to the Secretary a national plan for a program utilizing the fiscal resources provided under this Act. The Committee shall submit such plan to the Secretary for approval. Upon approval, the plan shall guide the Secretary and the Committee in their actions under this Act.

''(f) Section 10 of the Federal Advisory Committee Act (5 U.S.C. App. 2) shall not apply to the Committee.

**''SEC. 12. CAREER TECHNICAL EDUCATION.**

''(a) Up to 25 percent of the annual outlay of funds authorized by section 23(d) of the Deep Ocean Energy Resources Act of 2006 may be granted to schools or institutions including, but not limited to, colleges, universities, community colleges, tribal colleges and universities, technical institutes, secondary schools, other than those described in sections 3, 4, 5, and 6, and jointly sponsored apprenticeship and training programs that are authorized by Federal law.

''(b) The Secretary shall determine the eligibility of a school or institution to receive funding under this section using criteria that include—

''(1) the presence of a State-approved program in mining engineering technology, petroleum engineering technology, industrial engineering technology, or industrial technology that—

''(A) is focused on technology and its use in energy and mineral production and related maintenance, operational safety, or energy infrastructure protection and security;

''(B) prepares students for advanced or supervisory roles in the mining industry or the petroleum industry; and

''(C) grants either an associate's degree or a baccalaureate degree in one of the subjects listed in subparagraph (A);

''(2) the presence of a program, including a secondary school vocational education program or career academy, that provides training for individuals entering the petroleum, coal mining, or mineral mining industries; or

''(3) the presence of a State-approved program of career technical education at a secondary school, offered cooperatively with a community college in one of the industrial sectors of—

''(A) agriculture, forestry, or fisheries;

''(B) utilities;

''(C) construction;

''(D) manufacturing; and

''(E) transportation and warehousing.

''(c) Schools or institutions receiving funds under this section must show evidence of an institutional commitment for the purposes of career technical education and provide evidence that the school or institution has received or will receive industry cooperation in the form of equipment, employee time, or donations of funds to support the activities that are within the scope of this section.

''(d) Schools or institutions receiving funds under this section must agree to maintain the programs for which the funding is sought for a period of 10 years beginning on the date the school or institution receives such funds, unless the Secretary finds that a shorter period of time is appropriate for the local labor market or is required by State authorities.

''(e) Schools or institutions receiving funds under this section may combine these funds with State funds, and other Federal funds where allowed by law, to carry out programs described in this section, however the use of the funds received under this section must be reported to the Secretary not less than annually.

''(f) The Secretary shall seek the advice of the Committee established pursuant to section 11 in determining the criteria used to carry out this section.

**''SEC. 13. DEPARTMENT OF THE INTERIOR WORKFORCE ENHANCEMENT.**

''(a) PHYSICAL SCIENCE, ENGINEERING AND TECHNOLOGY SCHOLARSHIP PROGRAM.—

''(1) From the amount of funds available to carry out this section, the Secretary shall use 30 percent of that amount to provide financial assistance for education in physical sciences, engineering, and engineering or industrial technology and disciplines that, as determined by the Secretary, are critical to the functions of the Department of the Interior and are needed in the Department of the Interior workforce.

''(2) The Secretary of the Interior may award a scholarship in accordance with this section to a person who—

''(A) is a citizen of the United States;

''(B) is pursuing an undergraduate or advanced degree in a critical skill or discipline

described in paragraph (1) at an institution of higher education; and

''(C) enters into a service agreement with the Secretary of the Interior as described in subsection (e).

''(3) The amount of the financial assistance provided under a scholarship awarded to a person under this subsection shall be the amount determined by the Secretary of the Interior as being necessary to pay all educational expenses incurred by that person, including tuition, fees, cost of books, laboratory expenses, and expenses of room and board. The expenses paid, however, shall be limited to those educational expenses normally incurred by students at the institution of higher education involved.

''(b) SCHOLARSHIP PROGRAM FOR STUDENTS ATTENDING MINORITY SERVING HIGHER EDUCATION INSTITUTIONS.—

''(1) From the amount of funds available to carry out this section, the Secretary shall use 35 percent of that amount to award scholarships in accordance with this section to persons who—

''(A) are enrolled in a Minority Serving Higher Education Institutions.

''(B) are citizens or nationals of the United States;

''(C) are pursuing an undergraduate or advanced degree in agriculture, engineering, engineering or industrial technology, or physical sciences, or other discipline that is found by the Secretary to be critical to the functions of the Department of the Interior and are needed in the Department of the Interior workforce; and

''(D) enter into a service agreement with the Secretary of the Interior as described in subsection (e).

''(2) The amount of the financial assistance provided under a scholarship awarded to a person under this subsection shall be the amount determined by the Secretary of the Interior as being necessary to pay all educational expenses incurred by that person, including tuition, fees, cost of books, laboratory expenses, and expenses of room and board. The expenses paid, however, shall be limited to those educational expenses normally incurred by students at the institution of higher education involved.

''(c) EDUCATION PARTNERSHIPS WITH MINORITY SERVING HIGHER EDUCATION INSTITUTIONS.—

''(1) The Secretary shall require the director of each Bureau and Office, to foster the participation of Minority Serving Higher Education Institutions in any regulatory activity, land management activity, science activity, engineering or industrial technology activity, or engineering activity carried out by the Department of the Interior.

''(2) From the amount of funds available to carry out this section, the Secretary shall use 35 percent of that amount to support activities at Minority Serving Higher Education Institutions by—

''(A) funding faculty and students in these institutions in collaborative research projects that are directly related to the Departmental or Bureau missions;

''(B) allowing equipment transfer to Minority Serving Higher Education Institutions as a part of a collaborative research program directly related to a Departmental or Bureau mission;

''(C) allowing faculty and students at these Minority Serving Higher Education Institutions to participate Departmental and Bureau training activities;

''(D) funding paid internships in Departmental and Bureau facilities for students at Minority Serving Higher Education Institutions;

''(E) assigning Departmental and Bureau personnel to positions located at Minority Serving Higher Educational Institutions to serve as mentors to students interested in a science, technology or engineering disciplines related to the mission of the Department or the Bureaus.

''(d) SERVICE AGREEMENT FOR RECIPIENTS OF ASSISTANCE.—

''(1) To receive financial assistance under subsection (a) or (b) of this section—

''(A) in the case of an employee of the Department of the Interior, the employee shall enter into a written agreement to continue in the employment of the department for the period of obligated service determined under paragraph (2); and

''(B) in the case of a person not an employee of the Department of the Interior, the person shall enter into a written agreement to accept and continue employment in the Department of the Interior for the period of obligated service determined under paragraph (2).

''(2) For the purposes of this section, the period of obligated service for a recipient of a scholarship under this section shall be the period determined by the Secretary of the Interior as being appropriate to obtain adequate service in exchange for the financial assistance provided under the scholarship. In no event may the period of service required of a recipient be less than the total period of pursuit of a degree that is covered by the scholarship. The period of obligated service is in addition to any other period for which the recipient is obligated to serve in the civil service of the United States.

''(3) An agreement entered into under this subsection by a person pursuing an academic degree shall include any terms and conditions that the Secretary of the Interior determines necessary to protect the interests of the United States or otherwise appropriate for carrying out this section.

''(e) REFUND FOR PERIOD OF UNSERVED OBLIGATED SERVICE.—

''(1) A person who voluntarily terminates service before the end of the period of obligated service required under an agreement entered into under subsection (d) shall refund to the United States an amount determined by the Secretary of the Interior as being appropriate to obtain adequate service in exchange for financial assistance.

''(2) An obligation to reimburse the United States imposed under paragraph (1) is for all purposes a debt owed to the United States.

''(3) The Secretary of the Interior may waive, in whole or in part, a refund required under paragraph (1) if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

''(4) A discharge in bankruptcy under title 11, United States Code, that is entered less than five years after the termination of an agreement under this section does not discharge the person signing such agreement from a debt arising under such agreement or under this subsection.

''(f) RELATIONSHIP TO OTHER PROGRAMS.—The Secretary of the Interior shall coordinate the provision of financial assistance under the authority of this section with the provision of financial assistance under the authorities provided in this Act in order to maximize the benefits derived by the Department of Interior from the exercise of all such authorities.

''(g) REPORT.—Not later than September 1 of each year, the Secretary of the Interior shall submit to the Congress a report on the status of the assistance program carried out under this section. The report shall describe the programs within the Department designed to recruit and retain a workforce on a short-term basis and on a long-term basis.

''(h) DEFINITIONS.—As used in this section:

''(1) The term 'Minority Serving Higher Education Institutions' means a Hispanic-serving institution, historically Black college or university, Alaska Native-serving institution, tribal college or university, or insular area school.

''(2) The term 'Hispanic-serving institution' has the meaning given the term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

''(3) The term 'historically Black college or university' has the meaning given the term 'part B institution' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

''(4) The term 'tribal college or university' has the meaning given the term 'Tribal College or University' in section 316(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1059c).

''(5) The term 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(6) The term 'Alaska Native-serving institution' has the meaning given the term in section 317 of the Higher Education Act of 1965 (20 U.S.C. 1059d).

''(7) The term 'insular area school' means an academic institution or university in American Samoa, Guam, The Northern Mariana Islands, Puerto Rico, and the Virgin Islands, or any other territory or possession of the United States.

''(i) FUNDING.—To implement this section, the Secretary shall use 3 percent of the annual outlay authorized by section 23(d) of the Deep Ocean Energy Resources Act of 2006.''.

(b) FUNDING FOR ENERGY RESEARCH.—

(1) Using 20 percent of the funds authorized by subsection (d), the Secretary of Energy, through the energy supply research and development programs of the Department of Energy, and in consultation with the Office of Science of the Department of Energy, shall carry out a program to award grants to institutions of higher education on the basis of competitive, merit-based review, for the purpose of conducting research on advanced energy technologies with the potential to transform the energy systems of the United States so as to—

(A) reduce dependence on foreign energy supplies;

(B) reduce or eliminate emissions of greenhouse gases;

(C) reduce negative environmental effects associated with energy production, storage, and use; and

(D) enhance the competitiveness of United States energy technology exports.

(2) Awards made under this subsection may include funding for—

(A) energy efficiency;

(B) renewable energy, including solar, wind, and biofuels; and

(C) nuclear, hydrogen, and any other energy research that could accomplish the purpose set forth in paragraph (1).

(3) The Secretary of Energy may require or authorize grantees under this subsection to partner with industry, but only to the extent that such a requirement does not prevent long-range, potentially pathbreaking research from being funded under this subsection.

(4) An institution of higher education seeking funding under this subsection shall submit an application at such time, in such manner, and containing such information as the Secretary of Energy may require.

(5) In this subsection, the term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965.

(c) FUNDING FOR ENERGY SCHOLARSHIPS.—

(1) Using 5 percent of the funds authorized by subsection (d), the Secretary of Energy, through the energy supply research and development programs of the Department of Energy, and in consultation with the Office

of Science of the Department of Energy, shall carry out a program to award grants to institutions of higher education on the basis of competitive, merit-based review, to grant graduate traineeships to Ph.D. students who are citizens of the United States who will carry out research on advanced energy technologies to accomplish the purpose set forth in subsection (c)(1).

(2) Awards made under this subsection may include funding for—

(A) energy efficiency;

(B) renewable energy, including solar, wind, and biofuels; and

(C) nuclear, hydrogen, and any other energy research that would accomplish the purpose set forth in subsection (c)(1) that is not eligible for funding under section 7 of the Energy and Mineral Schools Reinvestment Act.

(3) An institution of higher education seeking funding under this subsection shall submit an application at such time, in such manner, and containing such information as the Secretary of Energy may require.

(4) In this subsection, the term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $150,000,000 for each of fiscal years 2007 through 2017.

Page 95, line 3, before the semicolon insert the following: '', with particular consideration awarded to establishing programs at minority serving institutions''.

Page 96, line 18, before the period insert the following: '', with particular consideration awarded to minority serving institutions''.

Page 123, beginning at line 22, strike ''The purpose'' and all that follows through ''funding for'' at line 23 and insert ''The purpose of this section is to provide for''.

Page 124, line 6, strike the semicolon and insert a period.

Page 124, strike line 7 and all that follows through page 129, line 9, and insert the following:

(c) STATE DEFINED.—In this section the term ''State'' means the agency of a State designated by its Governor or State law to perform the functions and activities described in subsection (b).

Page 129, line 10, strike ''(e)'' and insert ''(c)''.

Page 131, strike lines 14 through 18 and insert the following:

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection for each of fiscal years 2007 through 2011 not less than $35,000,000. Each pilot project

Page 131, line 21, strike ''(f)'' and insert ''(d)''.

Page 134, strike line 15 and all that follows through ''fiscal year.'' at line 18 and insert the following:

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection for each of fiscal years 2007 through 2011 not less than $5,000,000. Each pilot project

Page 135, line 12, strike ''(g)'' and insert ''(e)''.

Page 137, strike lines 9 through 11 and insert the following:

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection—

(A) $65,000,000 for fiscal year 2007; and

(B) $37,500,000 for each of fiscal years 2008 through 2013.

Page 137, line 12, strike ''(h)'' and insert ''(f)''.

Page 137, strike line 21 and 22 and insert the following:

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection funds for

Page 138, line 4, strike ''517'' and insert ''507''.

Page 138, line 9, strike ''(b)(1)'' and insert ''(b)(13) or (b)(14)''.

Page 147 , line 14, strike section 30 and insert the following:

**SEC. 30. AVAILABILITY OF OCS RECEIPTS TO PROVIDE PAYMENTS UNDER SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.**

Section 9 of the Outer Continental Shelf Lands Act (43 U.S.C. 1338) is amended by inserting after subsection (i), as added by section 7 of this Act, the following new subsection:

''(j) CONDITIONAL AVAILABILITY OF FUNDS FOR PAYMENTS UNDER SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.—

''(1) AVAILABILITY OF FUNDS.—Subject to paragraph (2), but notwithstanding any other provision of this section, $50,000,000 of OCS Receipts shall be available to the Secretary of the Treasury for each of fiscal years 2007 through 2012 to make payments under sections 102 and 103 of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106–393; 16 U.S.C. 500 note). The Secretary of the Treasury shall use the funds made available by this subsection to make such payments in lieu of using funds in the Treasury not otherwise appropriated, as otherwise authorized by sections 102(b)(3) and 103(b)(2) of such Act.

''(2) CONDITION ON AVAILABILITY.—OCS Receipts shall be available under paragraph (1) for a fiscal year only if—

''(A) title I of the Secure Rural Schools and Community Self-Determination Act of 2000 has been reauthorized through at least that fiscal year; and

''(B) the authority to initiate projects under titles II and III of such Act has been extended through at least that fiscal year.''.

Add at the end the following:

**SEC. 31. SENSE OF THE CONGRESS TO BUY AND BUILD AMERICAN.**

(a) BUY AND BUILD AMERICAN.—It is the intention of the Congress that this Act, among other things, result in a healthy and growing American industrial, manufacturing, transportation, and service sector employing the vast talents of America's workforce to assist in the development of affordable energy from the Outer Continental Shelf. Moreover, the Congress intends to monitor the deployment of personnel and material in the Outer Continental Shelf to encourage the development of American technology and manufacturing to enable United States workers to benefit from this Act by good jobs and careers, as well as the establishment of important industrial facilities to support expanded access to American resources.

(b) SAFEGUARD FOR EXTRAORDINARY ABILITY.—Section 30(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1356(a)) is amended in the matter preceding paragraph (1) by striking ''regulations which'' and inserting ''regulations that shall be supplemental and complimentary with and under no circumstances a substitution for the provisions of the Constitution and laws of the United States extended to the subsoil and seabed of the outer Continental Shelf pursuant to section 4(a)(1) of this Act, except insofar as such laws would otherwise apply to individuals who have extraordinary ability in the sciences, arts, education, or business, which has been demonstrated by sustained national or international acclaim, and that''.

MODIFICATION TO AMENDMENT NO. 1 OFFERED BY MR. POMBO

Mr. POMBO. Mr. Chairman, I have a modification at the desk.

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 1 offered by Mr. POMBO:

Page 1, line 1, strike ''1996'' and insert ''1995''.

Page 21, line 24, before the semicolon, insert the following: '', with particular consideration awarded to establishing programs and minority serving institutions''.

Page 23, line 18, before the period, insert the following: '', with particular consideration awarded to minority serving institutions''.

Page 52, strike the instruction relating to page 95.

Page 53, strike the instruction relating to page 96.

The Acting CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIRMAN. Pursuant to House Resolution 897, the gentleman from California (Mr. POMBO) and the gentleman from West Virginia (Mr. RAHALL) each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. POMBO. Mr. Chairman, I would like to yield 1 minute to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, with adoption of the manager's amendment, this bill is going to give Floridians protection for their coast that we haven't ever had before. And I think it is important to note that some of our colleagues from Florida have misrepresented exactly what this bill is going to do.

We have fought since 1983 to maintain a moratorium off Florida's Gulf Coast against drilling of any kind. This manager's amendment, and this bill, will guarantee that off of Florida's west coast, a district that I represent, Mr. BILIRAKIS represents, others represent, there will be a protection zone of 235, get this, 235 miles because in the manager's amendment the so-called military mission line is put into statute. It is made permanent and anything east of that line in the Gulf of Mexico there will be no drilling. So Florida's west coast is protected far and above where we had originally requested, 235 miles. That is a lot of protection. And this manager's amendment makes this bill good for Florida.

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Mr. RAHALL. Mr. Chairman, has the chairman explained the amendment yet?

Mr. POMBO. If the gentleman will yield, I am yielding time on my time. You can yield time on yours.

Mr. RAHALL. Mr. Chairman, as I understand, if I am on the right amendment, the pending amendment drops some provisions of the underlying legislation such as new royalty relief, which should never have been part of the bill to begin with.

On balance, however, the amendment consists of budget gimmickry designed to hide the true costs to the Treasury of the bill and to pacify CBO by pushing the spending beyond the 10-year

scoring window. Under the manager's amendment, State revenue sharing will cost the Federal Treasury $18 billion in the first 10 years under the CBO analysis.

According to the MMS, Minerals Management Service, which administers the offshore OCS oil and gas leasing program, this legislation's provisions for diverting Federal revenues to States will cost $74 billion over the first 15 years and a staggering $600 billion over six decades. So under the manager's amendment, the new gimmickry, as I understand it, the Federal spending is largely deferred until 10 years and then the costs escalate rapidly and continue permanently. So that is the basis for my opposition.

It is a new, permanent entitlement program with 80 percent of the diverted Federal revenue goes only to four States, as we have heard in previous debate, those States being Louisiana, Texas, Alabama, and Mississippi. This is revenue that is generated from the development of oil and gas resources owned by all the American people. All of our names are on the deed. And it currently goes to the Federal Treasury and is allocated by Congress for many, many national priorities that are getting slashed these days.

And despite assertions to the contrary, this is not new revenue to be generated by this bill, but rather it is existing revenue that is generated under current laws allowing for the development of oil and gas on Federal OCS lands, primarily in the Gulf of Mexico. The publicly-owned OCS resources are far beyond the State boundaries, and to grant the adjacent Gulf States a permanent entitlement to those revenues is to the detriment and at the cost of all the other States.

Mr. Chairman, I reserve the balance of my time in opposition to the manager's amendment.

Mr. POMBO. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, this is about natural gas. Natural gas not for Texas or Louisiana but natural gas for the entire country, Midwest, Southwest, east coast, for the entire country.

Energy imports now make up one-third of America's trade deficit. Through this bill America could improve the supply/demand imbalance, lower consumer prices, and increase jobs by producing more of its own energy resources.

I want to make sure that we do have an environmentally safe way of finding energy. I also want to expand the opportunities for jobs. And this manager's amendment creates petroleum and mining programs in historically black colleges and Hispanic-serving colleges. In addition, it provides consideration for programs dealing with energy and mineral resource programs to train future geologists so that we can be independent as well as look to alternative fuels. And then I would hope that this legislation, as it moves towards conference, can reinforce our commitment to giving competitive advantage to a certain extent to small minority-owned and women-owned businesses so they have equal access to oil and gas leases.

I hope we can work together as we move this legislation forward.

Mr. Chairman, I appreciate that two of my amendments to H.R. 4761, the Deep Ocean Energy Resources Act of 2006, have been incorporated into the Manager's Amendment. In addition, I have another amendment which I will be introducing on the floor.

First and foremost, I must admit that I do have reservations about certain provisions in this bill and the process with which this bill has arrived on the House floor. I think many of us would agree that the issues central to this bill, the future of energy exploration off of our Pacific, Atlantic, and Gulf coastlines, deserves more time for deliberation and debate. Also, I would have preferred if this bill would have included more careful consideration of the environmental impact offshore drilling would have on our Continental Shelf Activities. However, this bill is about helping the production of clean natural gas cheaply for all of America.

Energy is the lifeblood of every economy, especially ours. Producing more of it leads to more good jobs, cheaper goods, lower fuel prices, and greater economic and national security. However, the U.S. is more than 60 percent dependent on foreign sources of energy, twice as dependent today as we were just 30 years ago. Although energy is the lifeblood of America's economic security, this growing and dangerous dependence has resulted in the loss of hundreds of thousands of good American jobs, skyrocketing consumer prices, and vulnerabilities in our national security.

Energy imports now make up one third of America's trade deficit. Through this bill, America could improve the supply-demand imbalance, lower consumer prices, and increase jobs by producing more of its own energy resources. With my district of Houston being the energy capital of the world, I support the efforts that this bill makes to recognize state stakeholders and incorporate their interests in revenue sharing.

According to the U.S. Minerals Management Service (MMS), America's deep seas on the Outer Continental Shelf (OCS) contain 420 trillion cubic feet of natural gas (the U.S. consumes 23 TCF per year) and 86 billion barrels of oil (the U.S. imports 4.5 billion per year). Even with all these energy resources, the U.S. sends more than $300 billion (and countless American jobs) overseas every year for energy we can create at home.

In some cases, the U.S. is facing much-higher energy prices than other countries. Natural gas, for example, is as much at ten times more expensive in the United States than it is in foreign nations. This fact alone has led to the loss of hundreds of thousands of high-paying American jobs, as natural gas-dependent factories are forced to close their doors and move overseas in search of more affordable energy. The outsourcing of American jobs is an issue of central importance to me and my constituents, and I believe this bill is a step in the right direction of bringing jobs back to hard-working Americans.

Yet the present issue I would like to speak on addresses the fact that contracts and leases, as considered in this bill, engage fierce competition from national and multinational corporations, in addition to domestic businesses. The share of businesses owned by minorities rose from 6.8 percent of all U.S. businesses in 1982 to 15.1 percent in 1997, yet this is far below representative of the proportion of the minority population today.

Historically, minority and women-owned businesses have been disadvantaged in seeking and winning these contracts. According to a survey by the Small Business Administration, minority-owned employer establishments had lower survival rates than non-minority-owned employer establishments between 1997 and 2002.

During 1997–2001, the business expansion rates of three minority business groups were higher than that for non-minority-owned businesses. While 27.4 percent of non-minority owned establishments expanded during this period, 34.0 percent of Hispanic-owned employer establishments expanded, as did 32.1 percent of Asian and Pacific Islander owned establishments, and 27.8 percent of American Indian/Alaska Native-owned establishments.

There may be inherent disadvantages for these businesses, but it is clear their potential is tremendous. This amendment ensures that these businesses have the ability to compete fairly for these lucrative opportunities.

I am very proud that my district, Harris County and Houston ranks sixth and Texas ranked fifth in the country for the largest number of African-American owned firms, following New York, California, Florida, and Georgia. Minority and women-owned businesses across the country will appreciate the effort to preserve their opportunity to compete for these contracts.

I encourage the esteemed members of the committee to remember that there are a great many barriers to minority and women business professionals, and provisions such as these preserve equal access and open opportunities.

In addition, we must continue to safeguard equal opportunities in fields of study and professions that have far too low of a minority ratio.

According to the National Center for Educational Statistics, Americans who are African-American, Hispanic, and Native American make up only 9.7 percent of the science and engineering workforce, compared to 16.8 percent of the entire U.S. labor force.

The National Science Foundation contends that although the proportions of women, Blacks, and Hispanics in science and engineering occupations have continued to grow over time, there are still fewer numbers in science than their proportions of the population. In addition, the representation of African-Americans in science and engineering occupations increased from 2.6 percent in 1980 to 6.9 percent in 2000. The representation of Hispanics increased from 2.0 percent to 3.2 percent. However, for Hispanics, this is proportionally less than their increase in the population.

With these provisions, the door should be opened a few more inches. We want America's youth to find their way to engineering and the sciences.

I encourage the esteemed members of the committee to remember that there are a great

many barriers to minorities and women pursuing degrees in the sciences and in advancing their small businesses. Accordingly, my amendments which have been incorporated into the Manager's Amendment and my amendment regarding minority serving institutions which I will introduce on the floor provide provisions which preserve fundamental American values of equal access and opportunities.

I urge my colleagues to support this amendment and final passage.

Mr. POMBO. Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin (Mr. KIND).

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

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

I find myself in the uncomfortable position of supporting legislation that my ranking member on the Resources Committee opposes, because I have all the respect and admiration for his knowledge of energy issues in this country.

And I am the first to admit, standing here today, that we do need a new energy policy for a new century, one that transitions off our dependence on the imports of foreign oil, on fossil fuel consumption generally, with major investments in alternative and renewable energy sources, biofuels, hybrid technology; the energy source of the future, which is hydrogen power.

But I also admit that this is not going to happen overnight. And the reality of the situation as it exists in the upper Midwest today is that we have well over 500 coal-burning electrical power plants today, 58 in Wisconsin, with many more in line of production. And the main reason they are moving to more coal burning in the upper Midwest is because of the spike of natural gas prices in this country. No one can convince me that that is good and healthy for our environment. No one can convince me that that is the best route to take in our battle against global warming in this country.

This, I believe, is commonsense legislation that brings the Gulf States into the decision-making as far as production off their coasts. I believe it will lead to a greater enhancement in production of natural gas capability in this country. It will enable us to buy some additional time in order to put together a long-ranging, forward-looking energy policy that makes sense for our consumers, makes sense for our economy, and perhaps more importantly, makes sense for our battle against global warming that we face on this planet.

I encourage my colleagues to support the legislation.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume, continuing to claim my time in opposition.

I understand that the administration has just come out with their position on this legislation; and, as I understand it, much to everybody's surprise, it is in opposition. It is in opposition on budget grounds, as I understand the statement that has just come out from the administration, as well as their opposition to the revenue-sharing proposals that are contained inherent in this current legislation.

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

Mr. POMBO. Mr. Chairman, I yield 1 minute 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 have been saying both in debate and on the floor and talking to people that we want to reach out to those who say they are in opposition. But it is difficult to reach out when you have to listen to the kinds of things that are being said here about revenues and all the rest of it.

Let us get something straight here. One hundred percent of nothing is nothing. There are no revenues coming in. All of these figures that are being bandied about as if we are losing something, we are not losing anything except energy independence in this country.

Now we have reached out to everybody that we wanted to speak to and who has wanted to be honest with us about what we are talking about here today.

We are losing jobs by the thousands. Why do you think that American labor is on our side in this? We are losing our petrochemical industries. We are losing our manufacturing base. We are losing our ability to farm, while rich, elite people in this country that support some of these environmental Taliban organizations are out there with the propaganda that is trying to say that some of us that are trying to get to energy independence are the ones that are causing the difficulty.

Well, let me tell you something. We are not going to back off on this, and we are not going to listen to lies about revenue and distortions about revenue. We are going to bring revenue into this country and bring energy independence into this country. We are not backing down, and we are not backing off.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I thank the gentleman for yielding.

So the Bush administration has now checked in, and the Bush administration is saying they are very unhappy about $600 billion being taken from the Federal Government and given to four States. They are unhappy with this rip-off of the Federal taxpayers of 46 States. This transfer of $600 billion, down here. Yes, drill down here. Yes, drill tomorrow. Yes, at $70 a barrel, drill, drill, drill. That is 80 percent. But do not ship $600 billion from the red States, the 46 States, down to only four States.

That is what the Bush administration just said to you all. It will force him to cut the budget in Iraq. It will force him to cut Medicare. Even this administration does not want this additional $600 billion loss.

The Acting CHAIRMAN. The gentleman from California has 30 seconds remaining, and the gentleman from West Virginia has the right to close.

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

I say that, regardless of how I describe the amendment, it really does not matter, because they make it up as they go along. And in terms of the message from the President, it actually says: ''The administration supports House passage of H.R. 4761 to advance the legislative process.'' They did not come out and oppose it.

The underlying manager's amendment was an agreement that we worked out with so many different people in order to take care of issues that they had.

I urge support of the manager's amendment.

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

That hardly sounds like a ringing endorsement of the legislation. When the administration says they want to move the process forward, I hardly think that means that they will sign the current bill as written into law. And I have the administration's language here in front of me.

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

Mr. RAHALL. Yes, I will yield. Did they say that it was signed into law?

Mr. POMBO. Did they say that they opposed it?

Mr. RAHALL. Well, it is hardly a ringing endorsement. I have been here 30 years, and I have seen administrations endorse legislation or I have seen where they wanted to move along the process.

Reclaiming my time, the way I read it, although I don't have my glasses, it is to move this process forward.

''The administration strongly opposes revenue sharing . . . '' I am reading now. My eyes just focused.

''The administration strongly opposes revenue-sharing provisions that do not incentivize production and that would reduce Federal receipts relative to current law and have a long-term impact on the Federal deficit. The administration's preliminary estimate is that the revenue-sharing provisions of H.R. 4761 would reduce Federal receipts by several hundred billion dollars over 60 years.''

Is that a ringing endorsement? Is that support of the legislation? Read the English language.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. POMBO), as modified.

The amendment, as modified, was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. INSLEE

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 109–540.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. INSLEE:

In section 26(h)(3) (page 137, line 24), strike ''$6,000,000'' and insert ''$20,000,000''.

The Acting CHAIRMAN. Pursuant to House Resolution 897, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

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

This is a very simple amendment that will increase the amount of authorization for clean, renewable ocean energy projects from the current $6 million to $20 million.

We have enormous potential off of our shores not only for oil and gas but for clean, renewable sources, including wave power-generated electricity and current-generated electricity, and there are several places in the United States where we are doing that today. In fact, in Hawaii, we have a wave power system that is generating electricity for the United States Navy, a very ingenious product that is essentially an ocean bell that bobs up and down just underneath the surface of the ocean, drives a hydraulic system, and generates electricity.

Just to give you an order of magnitude of the capacity that we may have to develop off our shores, a 10 megawatt power station would only use 30 acres of ocean space. That is enough for 10,000 homes. A 10 by 10 area off our oceans has enough capacity, and this is pretty amazing when you think about it, to generate all of the electricity used in the State of California. Now, these are prototypes in the water today, but we think they have great, great potential. So we would like a modest increase to allow this technology to go forward.

It is a very modest increase, of course, and here is something we can do with our oceans that is clean and renewable. And we have heard the science coming out on global warming, the importance of not just relying on fossil fuel in our energy plan.

Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

□ 1630

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

Mr. Chairman, I rise in support of this amendment to devote more resources to extracting energy from the ocean. We should be doing everything we can to develop all sustainable environmentally benign sources. Ocean sources, whether you are talking about thermal gradients, tidal power, wave power, have a lot, a lot of energy and in many cases they can be extracted in an environmentally benign way.

My colleague from Washington spoke about a kind of technology, for example, Ocean Power Technologies Company located in New Jersey has an installation in Hawaii that extracts energy from the waves and converts that to electricity. The buoys are located well offshore. They are invisible to residents from the coast line. There are, of course, still questions to be resolved, still technologies to be developed; but the basic technology to harness the ocean's power already exists. What the gentleman from Washington is proposing makes great sense.

The Acting CHAIRMAN. Does the gentleman from California claim the time in opposition?

Mr. POMBO. Yes, Mr. Chairman.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

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

While I do support clean renewable energy, obviously we all have questions about this particular technology. We just heard an impassioned plea on the part of Mr. RAHALL about the costs; and to go in and increase the cost does concern me, but I know this is something that Mr. INSLEE has researched. He cares a great deal about it, and I tend to accept his explanation even though I do have some concerns.

Mr. Chairman, I yield 30 seconds to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, in my enthusiasm for the manager's amendment, I transposed a number. I said the military mission line would protect 325 miles. It is actually 235 miles, which is still a good deal for Florida; but I just wanted to correct that I did transpose the number.

Mr. POMBO. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I thank the gentleman for yielding me time. I rise in opposition to the amendment and in support of the amended Deep Ocean Energy Resources Act.

In America we continue to gamble our economic future through dependence on foreign sources of energy. The time to stop this is now. The most effective and sure way to secure our energy future is to utilize the fossil fuel resources we have here at home. The underlying bill will allow Virginia to choose exploration off its coast.

Virginia's deep ocean production will help reduce America's dependence on foreign oil and provide a revenue source to fund the cleanup of the Chesapeake Bay. Energy security depends first on a reliable supply through exploration of domestic oil and gas reserves while we encourage the development of alternative sources of energy.

This bill, Mr. Chairman, and I recognize the leadership and the gentleman of California in bringing this bill forward, is a necessary part of ensuring American energy security, and I am proud to support it.

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

I appreciate the Chair's acceptance of the amendment. I just wanted to point out I have looked at this, as the Chair believes. I just want to point out in dealing with these new energy technologies, we are going to find some that are dry holes and do not work, but I think it is incumbent on us to look for any technology that has a reasonable chance for success. I think this one does. This is a good investment for taxpayers. I appreciate the Chair accepting the amendment.

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

Mr. POMBO. Mr. Chairman, I yield myself such time as I may consume, and I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Chairman, prior to Hurricane Katrina, the hottest topic on the Mississippi gulf coast was a proposed ban on drilling 12 miles out, and that has kind of been put on hold. But anywhere from champions of industry who actually own shipyards that repair drilling rigs are in favor of this; an ex-president of Tidewater Marine was in favor of this ban. A lot of people in the oil business wanted a ban for 12 miles off of Mississippi. My question is, how would this affect that? There really is not a synopsis of the bill available yet, and I regret that, and I am sure it is an oversight, but representing the people of south Mississippi, I would like to know how does this affect that.

Mr. POMBO. Reclaiming my time, it does not impact it at all, and your State would be able to continue doing exactly what they are doing.

Mr. TAYLOR of Mississippi. So if the State wished to have a ban for 12 miles from the shoreline or 12 miles out from the barrier islands, that would be within their jurisdiction under this bill?

Mr. POMBO. Yes, sir. Reclaiming my time, it actually gives the State the first 50 miles that they do not have to do anything, and they could ban anything within that first 50 miles.

Mr. TAYLOR of Mississippi. I thank the gentleman for yielding.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. POMBO. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to support the Inslee amendment which we have accepted and I thank you, but I wanted to ask these two questions: one, the issue of revenue sharing perspectively does not limit itself just to States that names have been called. It does expand to the potential of revenue sharing. And secondly, the commitment that we would have to give advantage or give an opportunity for small, medium, women-owned, and minority-owned businesses in the granting of leases as we move toward conference and be able to develop expanded opportunities for jobs.

Mr. POMBO. Reclaiming my time, I will tell the gentlewoman that we have talked about her amendment and her

effort to expand the opportunities for smaller business, minority-owned and women-owned businesses. I fully support that and will continue to work with her to ensure that the revenue that is increased and the jobs that are increased because of this bill, we will give as much as we possibly can to small business and minority- and women-owned businesses because I support that goal.

In terms of revenue sharing, contrary to some of the rhetoric you have heard here today, every single State that has any kind of development off its shores will share in the revenue. It is not just limited to the four States. Although those four States would probably like that, it is not just limited to the four States. It is open to every single coastal State.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. TOM DAVIS OF VIRGINIA

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 109–540.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. TOM DAVIS of Virginia:

Add at the end the following new section:

**SEC. ___. AVAILABILITY OF OCS RECEIPTS TO PROVIDE FUNDS FOR TRANSPORTATION INFRASTRUCTURE OF THE NATION'S CAPITAL.**

Section 9 of the Outer Continental Shelf Lands Act (43. U.S.C. 1338) is further amended by adding at the end the following new subsection:

''(k) AVAILABILITY OF FUNDS FOR IMPROVEMENTS TO THE TRANSPORTATION INFRASTRUCTURE OF THE NATION'S CAPITAL.—Notwithstanding any other provision of this section, $150,000,000 of OCS Receipts shall be available to the Secretary of the Treasury for each of fiscal years 2007 through 2016 to make payments, subject to appropriations, to the Washington Metropolitan Area Transit Authority (as defined in the National Capital Transportation Act of 1969) (sec. 9—1111.01 et seq., D.C. Official Code) to finance in part the capital and preventive maintenance projects included in the Capital Improvement Program approved by the Board of Directors of the Washington Metropolitan Area Transit Authority.

The Acting CHAIRMAN. Pursuant to House Resolution 897, the gentleman from Virginia (Mr. TOM DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. RAHALL. Mr. Chairman, I claim the time in opposition to the amendment.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I commend Chairman POMBO for bringing H.R. 4761, the Deep Ocean Energy Resources Act of 2006, to the floor today. This important legislation would modernize a key aspect of our Nation's energy policy by providing for energy production on the Outer Continental Shelf of the United States.

H.R. 4761 would generate a significant amount of new revenue in the form of oil and natural gas royalties for coastal States that allow offshore drilling, as well as the Federal Government. The amendment I am offering today would authorize a portion of the funds generated by the legislation to go to supporting Washington Metropolitan Area Transit Authority. Specifically, the amendment would provide $150 million per year for 10 years to fund capital and preventative maintenance projects for Metro, without which Metro could not function effectively, would have to be matched dollar for dollar from Virginia, Maryland and the District.

Congress has long recognized the unique relationship between Metro and the Federal Government. Three times we have authorized renewed Federal commitments to this system, understanding that it is a vital Federal Government asset.

The government first committed to sharing in this responsibility for Metro in 1960 when President Eisenhower signed the National Capital Transportation Act, creating a National Capital Transportation Agency to develop a regional rail system for the Nation's capital. Since that time, Congress has periodically infused the system with Federal funding to protect its original investment and accommodate ridership growth. The government continues to pay its fair share of the costs of the capital region's transit system.

Unlike other regional transit systems in the country, Metro was designed to make sure Federal workers and contractors as well as tourists have easy access to government offices and work places.

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

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

Mr. Chairman, I certainly do not begrudge the gentleman from Virginia or the gentlewoman from the District of Columbia for their efforts to obtain additional funding for the transit system in this region. I have ridden it. It is a very valuable part of our infrastructure not only in our Nation's capital but in this country.

Quite honestly, I do not see any link here between OCS, oil and gas leasing, and funding a particular transit system. I have got some roadways in my State I wish I would have thought to include in this bill as well. But nevertheless, the only specific authorized use of these funds is for the Land and Water Conservation Fund, up to a total of 900 million each and every year. That is important to my State.

There is a linkage here with conservation of our land and water resources being financed with revenues obtained from the development of these resources in this bill. So if there is a linkage but here between OCS and WMATA, I see no linkage.

Second, the Washington Metropolitan Area Transit, as all mature transit systems are, is eligible for funding and it does receive funding through the Mass Transit Account of the Highway Trust Fund. There I am happy to support it as well through my position on the Transportation and Infrastructure Committee. And I know that the authority is not really scratching for dollars these days, so that is why I claimed this time in opposition.

Again, I salute Mr. DAVIS for his dedication as well as the gentlewoman, Ms. HOLMES NORTON.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 1 minute to the gentlewoman from the District of Columbia.

Ms. NORTON. Chairman DAVIS has gone to wonderful creative trouble to find the funds, funds that were not being obligated to use for other purposes. This may look like a regional matter. It is a matter involving 20 million visitors who come to the District of Columbia and, frankly, have so piled on to the system that they have broken it down. Moreover, the rest of the people who use it during the weekdays are almost always Federal workers. We subsidize those Federal workers in order to get them to use this system. Watch what you wish for. They are now using it.

Now the system in which we have invested so much, we helped build it, we the Federal Government, because we knew visitors and Federal workers were chiefly involved. Because of that we have got to have a dedicated stream of funding or we do not have enough cars and we are not able to protect our investment by keeping the upkeep and that is why it is falling down.

In every respect, Members have more at stake than we do because of Federal workers and because our own constituents use this system. I thank the gentleman.

Mr. RAHALL. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I thank the gentleman very much, and I congratulate the gentleman from Virginia. He is amongst the most astute Members of Congress, and it is clear that there is a big gravy train moving through Congress this afternoon and he is one of the very smartest Members to figure out that he should attach his constituents' agenda to it. And rapid transit is a very important issue. Unfortunately, the majority decided that Mr. BOEHLERT's amendment on fuel economy standards for automobiles

was not important today. But I understand what the gentleman from Virginia is doing, and I congratulate him on his acute understanding of what this bill really is.

By the way, when I was a boy, my father was a milkman, and you looked at television to see what you can aspire to be and my favorite show was always ''Perry Mason,'' and I could never really figure out how Perry was going to get his client out of the mess. And then with about 5 minutes left to go in the show, every single week Della Street, his great assistant, would come into the back of the courtroom and say, I have new evidence.

Now, the case would always get solved and Perry would always win. So I have been charged all afternoon with making up numbers, that there will not be, as I say there is, a $600 billion transfer from 46 States down to 4 States. But now we have a Della Street-like letter from the President of the United States to the Republican leadership of the committee. Here is what the President says, ''The administration strongly opposes the revenue-sharing provisions that do not incentivize production and that would reduce Federal receipts relative to current law and have a long-term impact on the Federal deficit. The administration's preliminary estimate is that the revenue sharing provisions would reduce Federal receipts by several hundred billion dollars.''

□ 1645

So it turns out that the numbers I was quoting from the Bush administration, from its own Department of Interior, that this would lead to a $600 billion loss of revenues from 46 States going down to four States is now confirmed by President Bush's letter to us this afternoon.

So if you want to vote this way, Members of Congress, you can do it. And by the way, again I say this to Louisiana, Texas, Mississippi, Alabama, delegations: if you win this vote this afternoon, put out a press release. It is the greatest achievement of your career. It will be the greatest achievement you ever, ever have here in the House floor, moving $600 billion in one vote from 46 States to your States, a great victory.

And President Bush today is asking the Members of Congress not to do it. Now, Mr. POMBO will say to you, do not fix it now, we will fix it later. But the President is saying this is a big mess. We oppose it. Clean it up. And still we have a chance to clean it up.

Thank God we got the letter before we voted to create the mess. Now Mr. POMBO is saying, let's create the mess and we will clean it up when it gets to the Senate, which is, I think, an unnaturally great deference to a body that ordinarily does not receive that kind of respect from us.

Why should we wait for them to have the responsibility to deal with what we all now understand to be a complete mess? Again, I congratulate Mr. DAVIS, because if this is going to happen, I give you credit for understanding that getting $150 million for his district makes a lot of sense.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I think Perry Mason would be very proud of Mr. DAVIS on this effort. I understand, you and I have talked about it, it is an important effort. I sympathize and am going to vote with Mr. MARKEY, but I nevertheless think that your effort is certainly some small attempt to reduce, by some little bit, the $600 billion. I thank the gentleman for his efforts.

Mr. TOM DAVIS of Virginia. I would appreciate your vote on the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MARKEY

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 109–540.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. MARKEY:

Strike section 2 (page 2, beginning at line 6) and all that follows through the quoted subsection (r) in section 6(4) (through page 11, line 25), and insert the following:

**SEC. 2. ROYALTY SUSPENSION AUTHORITY AND IMPOSITION OF CONSERVATION OF RESOURCES FEES.**

Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by adding at the end the following new subsections:

At the end of section 6(3) (page 10, line 13), strike the period after the closed quotation marks and insert ''; and''.

In section 6(4), strike the quoted subsections (s) and (t) (page 12, beginning at line 1).

At the end of section 6(4) (page 13, line 22) strike the semicolon and insert a period.

Strike section 6(5) (page 13, beginning at line 23) and all that follows through the end of the bill.

The Acting CHAIRMAN. Pursuant to House Resolution 897, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, what my amendment will do is to correct the problem that the President has identified, amongst other things that also need correcting in the bill, while leaving intact a wonderful provision that will ensure that we correct the problem that occurred in the 1990s during the Clinton administration, which allows for oil companies to escape paying the royalties which the American people should be receiving on leases which were given out during that period of time, 1998 and 1999.

I agree with the intent of the language which is in the bill that the majority has crafted. They did a good job on that section, although with the rest of the bill I have a problem. And my amendment will help to correct that problem.

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

Mr. POMBO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. POMBO. Mr. Chairman, I do appreciate Mr. MARKEY's kind words about at least one provision in the bill.

I do appreciate that he did not want to waste that sign, since he had his staff make up the poster and they put a lot of hard work into that. And even though it is inaccurate and really has very little to do with the bill that we are discussing, I do appreciate his effort to recycle and reuse his information, even though it is inaccurate.

For 30 years, opponents of American energy have cloaked their arguments in an environmental apocalypse. They have tried to make the argument that no matter what we do, it will destroy the environment. I remember 30-plus years ago they started talking about wind energy production.

And in my district we had one of the first windmill farms built anywhere in this country. And it produces today a sizeable amount of electricity: clean, nonpolluting electricity.

Those windmills are up for renewal, to have their permits renewed. And lo and behold, the environmental groups are filing lawsuits against renewing those permits. Because they produce energy. They do not like energy production.

And what this amendment that Mr. MARKEY brings to us does is it takes out all of the energy production. It does leave in the part about trying to fix the mistake that was made during the Clinton administration on royalties, but it takes out all of the energy production.

It is a callous disregard for the jobs, the millions of jobs, that have been lost over the last 30 years of following this kind of policy. It is a callous disregard for the men and women of this country who want a good job, who want the opportunity to feed their family on a family-wage job. It takes it away. It tells them no.

You know, one of the things that I have heard over the years is that, you know, union membership has gone down and tried to explain it away in so many different ways. And I hear people talk about it, and I think, you know, it is not about people not wanting to join the union; it is about that we exported all of their jobs. The people who used to work in the timber industry, their jobs are in Canada or Germany.

The people who used to work in the mining industry, their jobs are now in South America. The people who work in oil and gas, their jobs are in the Middle East or Canada. We have exported their jobs. And if the Markey

amendment passes, we not only do not get those jobs back, we are going to send the rest of them. Because we do not like people actually working producing energy. That is what he is telling us.

This amendment went down in committee. It was offered, and it was eloquently debated. But it went down big. And it went down big because the people on the committee who have spent the greatest amount of time working on this issue know how important it is to create jobs in this country, to create clean natural gas in this country, so that it can be the bridge to the future, so that things like Mr. INSLEE's wave machine may end up producing enough electricity so that we do not have to be dependent on foreign oil any more.

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

Mr. MARKEY. Mr. Chairman, I yield 1¾ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I thank my colleague for yielding me time.

Mr. Chairman, I rise in strong support of the Markey amendment that would preserve the longstanding moratorium so important to coastal States. The amendment would also preserve the underlying bill's one redeeming feature, the renegotiating of the cash-cow leases now pouring billions of dollars into already stuffed oil industry coffers.

Mr. Chairman, the bill before us represents what is wrong with the Republican energy strategy. We have something like 3 percent of the world oil reserves, and yet are responsible for 25 percent of the world's demand. A report out yesterday noticed that with only 5 percent of the world's population, the United States has 30 percent of the world's automobiles, and we produce 45 percent of the world's automotive carbon dioxide emissions.

This addiction harms our environment, our economy and our national security. Even oil man George Bush says we are addicted to oil and we must confront our problem. But the Republican strategy is just to drill more. Not too much concerned about energy efficiency or conservation, no real emphasis on alternative renewable energy. This is where we need to go in the 21st century with the many new jobs it would entail in the Midwest and all around the country.

Instead, what we have before us is a bill that attempts to bribe coastal States into drilling off their shores by promising them more money, a lot more money. Even the Bush administration says the bill would drive up the Federal deficit by hundreds of billions of dollars over the next few decades.

The argument that the bill gives States control over their coast is specious at best. Control is mostly given to States that want to drill; those that do not confront numerous hurdles for temporary protection that can simply be overridden by Federal authorities.

Authority over Federal waters off our coast being moved to various State capitals is a bad idea anyway. These are Federal waters. They belong to all of us. The impacts from drilling, effects on fishing or shipping are bigger than the interest of one State. Mr. MARKEY's amendment would restore some sanity to this process. We should adopt it.

Mr. POMBO. Mr. Chairman, I yield to Mr. KIRK for a unanimous consent request.

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

Mr. KIRK. Mr. Chairman, I thank the gentleman for yielding. I would like to compliment the manager's amendment on reducing the fiscal impact of this bill.

Mr. Chairman, I rise in opposition to this legislation—a bill the President has said "would reduce Federal receipts by several hundred billion dollars over the next 60 years." As the Statement of Administration Policy put it, the administration strongly opposed key provisions "because of their long-term consequences on the Federal deficit."

This bill establishes new entitlement programs—mandatory spending mechanisms that already drive up our deficit. It establishes costly oil shale leases and imposes other expensive charges the Federal budget cannot afford.

I am also worried that the bill sets up the oil and gas industry above all other Federal interests. Under section 16, all Federal permitting is prohibited, despite my other marine or naval concerns. Many of these rigs could be put in sensitive waters with national defense implications. Under this bill, the government can consider no other issue—even for the defense of this Nation.

Section 17 allows lessees to request the Federal Government to repurchase leases.

This is an irresponsible provision that allows a transfer of risk from an energy company to the taxpayer. This is ironic because while the Federal Government is in the red, most energy companies are earnings record profits.

Mr. Chairman, we can have an honest debate about whether we should open the Outer Continental Shelf to energy development but there should be little debate on granting new assistance at the expense of the taxpayer to energy companies who are some of the most profitable entities on earth.

This bill, as it has been written, was a great threat to the Treasury. I want to compliment the Chairman and Ranking Minority Member for the manager's amendment they crafted that dramatically reduces the cost of this bill. This amendment heeds many of the fiscal concerns of the President and reduces that budgetary impact of the proposed legislation. I would now urge the authors to further listen to the President's fiscal guidance.

Mr. MARKEY. Mr. Chairman, I yield myself the remaining minute.

What the Markey amendment will do is to remove the provision which takes $600 billion from 46 States and gives it to four States, where oil and gas companies can already drill. If my amendment is adopted, according to CBO, my amendment will then generate $13 billion in new revenues over the next 10 years.

So your choice on the Markey amendment is lose $600 billion or gain $13 billion. Ladies and gentlemen, that is what this thing is all about. It is all about the money. Because 80 percent of the oil and gas that can be drilled for off our coast is already available. They might have a lot of additional coastline in America, but the geological service and the oil companies have said 80 percent of it is right here. By the way, it is already legal to go there.

And we, ED MARKEY, liberal from Massachusetts, we want you to go there. I want you to drill there. Get the oil that is down there in the gulf. But the revenues should go to the Federal Government or else, as George Bush has just said to us in a letter this afternoon, we will lose hundreds of billions of dollars to the Federal Government and give it to only four States without any real understanding or debate here on the House floor.

Vote for the Markey amendment. Let's generate $13 billion worth of revenue for our country rather than lose $600 billion.

Mr. POMBO. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, there is a great deal of misunderstanding about what this bill is about. And there is one thing that Mr. MARKEY said that was actually accurate, and that is that it is about the money. We just saw recently in Canada, they announced they needed 100,000 new oil field workers, 100,000. And they are taking them from us. They are taking our jobs from us to produce our energy.

We also heard one of my colleagues from California, and I am just amazed by this, right now the State of California controls 3 miles off its coast. This bill gives our State 100 miles. We would control 100 miles off our coast. Not 3, 100.

If you really do oppose drilling off the coast of California or Florida or wherever your State may be, you have to support the bill and vote against the short-sighted, mean, callous Markey amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

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

Mr. MARKEY. 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 Massachusetts will be postponed.

□ 1700

AMENDMENT NO. 5 OFFERED BY MR. BILIRAKIS

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 109–540.

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. BILIRAKIS:

In section 9(2), in the quoted subsection (g)(1)(A), strike ''50 miles'' each place it appears (page 38, lines 9 and 19) and insert ''125 miles'' .

In section 9(2), in the quoted subsection (g)(1), strike subparagraph (B) (page 39, beginning at line 6).

Page 40, lines 17 and 18, strike ''100'' each place it appears and insert ''125''.

In section 9(2), strike the quoted subsection (h) (page 46, beginning at line 7).

In section 9(2), in the quoted subsection (i) (page 48, beginning at line 7)—

(1) strike ''or (h), or both,'';

(2) strike ''(1)''; and

(3) strike '', and (2)'' and all that follows through the end of the sentence and insert a period.

The Acting CHAIRMAN. Pursuant to House Resolution 897, the gentleman from Florida (Mr. BILIRAKIS) and a Member opposed each will control 5 minutes.

Mr. RAHALL. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The Chair recognizes the gentleman from Florida.

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

I am offering this amendment with several of my Florida colleagues: DEBBIE WASSERMAN-SCHULTZ, BILL YOUNG, GINNY BROWN-WAITE, KATHERINE HARRIS, ROBERT WEXLER, MARIO DIAZ-BALART, and CLIFF STEARNS.

First of all, Mr. Chairman, I am told that this amendment is slated for defeat, and that is really unfortunate because it greatly improves the basic bill in that it provides solid, true statutory protections off of Florida and all coastal State shores. This amendment does not shred the existing 25-year drilling moratorium, as claimed by some vocal groups. In fact, that moratorium ends in 2007 and 2012. The moratorium is by executive order. It can be revoked at any time, even before July 1, 2007, and before 2012.

This amendment codifies in statute the protection up to 125 miles. The moratorium does not now cover the Florida Keys nor most of the Florida Atlantic. The amendment gives protection to all of the Florida coastlines and to other coastal States permanently, not subject to the whims of any executive.

This form of government is a republic, meaning that we legislators represent our constituents' interests, a government of, by and for the people. We ask ourselves, who is better equipped to better decide how close offshore drilling should come to a State's coast, the U.S. Congress or the States themselves?

I say that the people of coastal States should make that decision. If they want leasing and drilling, they can opt in. If they do not, then no action is required.

The bottom line, Mr. Chairman, of my amendment is to allow States to determine whether or not drilling occurs closest to their coastlines.

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

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

By extending ''no leasing'' buffer zones to 125 miles away from the State boundaries, this amendment is I must admit an improvement in the current bill from the perspective of its Florida sponsors, and I certainly understand that and commend them for the effort here.

However, as is in the underlying bill, the amendment gives effective control over national resources to the States.

The OCS lands and oil and gas resources belong to all the people of America. The name of every West Virginian, the name of other citizens of our country are on the deed to these properties.

So these oil and gas resources belong to all the American people and not just to those who reside in the adjacent States; and, as such, Congress should retain the powers to make the decisions regarding those national resources on those grounds. It is for that reason that I object to the amendment.

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

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

I would suggest to the gentleman, with all due respect, that the mountains of West Virginia, those beautiful mountains, belong to all the people, too, but I would expect the people of West Virginia could make the best decision regarding those mountains.

Mr. RAHALL. If the gentleman would yield, in response to the gentleman, that was not an accurate statement. The mountains of West Virginia do not belong to all the people of this land.

Mr. BILIRAKIS. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ.)

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I thank the gentleman from Florida.

There are times in life when we must make difficult choices. The Bilirakis, Wasserman Schultz and others amendment will add 125 miles of protection and require the legislature to affirmatively vote to allow drilling closer than that distance. It adds protection to the Outer Continental Shelf coastline that we do not now enjoy.

The choice in front of us on this amendment is do we squeeze our eyes shut tight, cross our fingers and pray that we will never have drilling off of our coastline or do we act now and ensure that we do not? I believe in controlling our own destiny. I want to know that there is 125 miles of protection that we do not now have off the eastern coastline.

For those Members that are opposed to this bill, as I am, you can vote in good conscience for this amendment and ensure a significant amount of protection in the event that the bill passes. If this amendment does not pass and the bill does, then we are left with the possibility of having oil rigs within 50 miles of our coastline. That is an unacceptable option.

We should act now to ensure that we have at least 125 miles of protection off the eastern coast in the Outer Continental Shelf.

I urge the adoption of the Bilirakis-Wasserman Schultz amendment.

There are times in life when we must make choices, some of them are easy and some of them are not. I firmly believe that as Members of Congress we have an obligation to protect people and the environment who have only our votes standing between them and devastating consequences.

I am an opponent of oil drilling. I have never voted for drilling in my 14 years as a public servant. But as public servants we must use both our heart and our head when deciding what is best at any given moment in time. The underlying legislation would be harmful to our environment. Drilling 50 miles off our coast, which is possible under the Pombo legislation is irresponsible. We should be investing in alternative energy resources and truly breaking ourselves of the addiction to oil referenced in President Bush's State of the Union speech. But, we won't have that chance today and sadly, unless the tide turns in this body, I fear that we won't ever have that chance.

I represent the cities of Ft. Lauderdale, Hollywood and Miami Beach, from the ocean to the Everglades. Florida's coastline must be protected. Our economy depends on our number one industry—tourism, which brings in 86 million tourists annually, supports one million jobs and generates $56 billion. There is a lot at stake for Florida.

That is why there are times in life when we must make difficult choices. The Bilirakis, Wasserman Schultz and others amendment will add 125 miles of protection and require the legislature to affirmatively vote to allow drilling closer than that distance. It adds protection to the Outer Continental Shelf coastline that we do not now enjoy. The choice in front of us on this amendment is do we squeeze our eyes shut tight, cross our fingers and pray that we'll never have drilling off of our coastline or do we act now and ensure that we don't? I believe in controlling our own destiny. I want to know that there is 125 miles of protection that we do not now have off the eastern coastline. For those Members that are opposed to this bill, as I am, you can vote in good conscience for this amendment and ensure a significant amount of protection in the event that the bill passes. If this amendment does not pass and the bill does, then we are left with the possibility of having oil rigs within 50 miles of our coastline. That is an unacceptable option. We should act now to ensure at least 125 miles of protection off the eastern coastline.

At the end of the day, we are representatives of our communities and our States, but we are ultimately United States Representatives, charged with thinking about our whole country. In that role, we have an obligation to ensure that the legislative products we send out of this institution, with or without our votes contain the best content we can develop. That requires the courage to compromise. Henry Clay said it best,

''All legislation . . . is founded upon the principle of mutual concession—Let him who elevates himself above humanity, above its

weaknesses, its infirmities, its wants, its necessities, say, if he pleases, ''I never will compromise''; but let no one who is not above the frailties of our common nature disdain compromise.''

The coastline of the Unites States of America must have the maximum protection we can attain for her. The Bilirakis-Wasserman Schultz amendment does that. Is it perfection? No, but if we live for perfection, we risk failure. The failure to protect our environment as much as we can is not an option. This amendment provides that protection for in this legislation. Without it, our environment faces grave danger.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The Chair would ask Members not to step in front of someone who is speaking.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Florida (Mr. WELDON).

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

I rise in opposition to the Bilirakis amendment. He is a good friend of mine. I do not agree with him on this issue.

I represent about 75 miles of coastline. We had no spills from Katrina and Rita. You cannot see an oil derrick beyond about 40 miles, and I think the language in the bill the chairman has put in there is very good. You have got 50 miles of protection, and then the State, if it wants to allow drilling 50 to 100 miles, it can.

Let us face it, gas is at $3 a gallon. Renewable energy resources are not there yet. I think we need to explore that.

Jeepers, I drive a hybrid vehicle. I drove up here just now in a hybrid vehicle. But we need fuel, and I think this is a very, very good bill, and I think the Bilirakis amendment goes too far. I would encourage all my colleagues, as somebody from Florida, vote ''no'' on the Bilirakis amendment.

Mr. BILIRAKIS. Mr. Chairman, I yield 45 seconds to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Mr. Chairman, I thank the gentleman for yielding.

There are some provisions in the underlying Pombo bill that are very onerous, and one of them in particular is the opt-in/opt-out language, particularly opt-out, which most of us that have served in the State legislature understand that there are a thousand ways to kill legislation which you would have to opt out.

The opt-in language is much better. So if you are opposed to the legislation, I would strongly request that you support the Bilirakis amendment which will fix the onerous language that is in the Pombo bill which requires an opt-out by the State legislature.

Mr. RAHALL. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. PETERSON), one of the cosponsors of the original underlying bill.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I thank the gentleman.

This is a very important amendment that should not pass. We have worked very hard. There has been a lot of compromise in this bill. We have given a lot of shoreline protection, 50 miles locked up, total State control. They have to opt out. The next 50-miles is rich with gas up and down our coast, and this country needs natural gas to fuel the industries that employ the blue collar workers of this country.

If we wait for Houses and Senates and governors to agree, I served in one for 20 years. It takes a long time. We cannot add years to the process. We need to open up our coastlines. We need to allow the States to have to opt out.

There will be a debate in every coastline State, and I am confident that in many States the vote will be to open up for natural gas specifically because of the need and because of the volume, that it is there to preserve the jobs in this country and keep this country competitive.

Mr. BILIRAKIS. Mr. Chairman, I yield 30 seconds to the gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Mr. Chairman, I rise to support this vital amendment that would extend the prohibition on offshore drilling from 100 to 125 miles off the coast. The amendment would also require States to proactively opt in, as has been described, to drilling, giving States that do not want to drill the ability to do so clearly.

This amendment is vital to coastal States as it provides further protection from drilling, and I would urge everyone to support it.

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

Mr. MARKEY. Mr. Chairman, I thank the gentleman.

Again, I want to congratulate the gentleman from West Virginia for his leadership on this issue and on the bill this afternoon, and I want to congratulate the Florida delegation for their success in improving a bad bill but not changing the fundamental nature of the bill. It is a bad bill, but it is an improvement, and I give them credit for that, but it should not be in any way interpreted as a reason to vote for the bill.

Again, jobs come from energy. The energy comes from leases that have already been given over to oil companies, 80 percent of which have never been drilled on, but it has already happened. The Bush administration says that the area already open is where 80 percent of the oil and gas off our shores is.

The big issue that we are all going to have to vote on final passage is whether or not we are going to allow a transfer of $600 billion from 46 States that now receive that $600 billion as a promise over the next several decades, or we are going to allow the oil companies to give that money to four States, even though the drilling is on Federal land, even though those leases have already been obtained by the oil companies but they have been waiting for the price of oil to go to $70 a barrel, which is where it is now. We do not have to give them any additional incentives.

This bill makes no sense whatsoever. It runs totally contrary to the economics of energy, and President Bush has now sent us a letter and asked us to not allow this $600 billion to go down here but to keep it up here in the Federal budget that can be used to keep our budget balanced.

Mr. BILIRAKIS. Mr. Chairman, I yield 25 seconds to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I thank the gentleman.

Mr. Chairman, this is a very important amendment that is going to protect the coastlines not just in Florida. This is not just a Florida issue, but it is going to protect the coastlines by another 25 miles.

The 25-miles can make a real difference to people who live near the coastline. The existing moratorium is limited in scope and can be done away with in the Florida area.

This is a bipartisan amendment. We heard from two Members of the other side who also support it, and I urge support for the amendment.

Mr. BILIRAKIS. Mr. Chairman, I yield to the gentleman from Florida (Mr. STEARNS) for the purposes of a unanimous consent request.

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

Mr. STEARNS. Mr. Chairman, I thank my distinguished colleague for all his leadership on this issue, going back, way back, and I rise in strong support of this amendment. I thank my friend for his leadership.

I rise today in strong support of this amendment and I thank my friend, Mr. BILIRAKIS and my other Florida colleagues for offering it. This amendment ensures that no oil or natural gas leasing occurs within 125 miles of a State's coastline unless the State requests leasing. This amendment provides the States with real authority to protect their coastlines and I urge its adoption.

We can all agree that the United States is far too reliant on imported sources of energy. Currently we import 60 percent of our oil demand, and by 2025 that number will increase to nearly 75 percent. In addition, the rising price of natural gas is causing serious problems to many different sectors of our economy.

This dependence on imported sources of energy is a threat to our economy and to our national security. In addition to expanding alternative fuels and employing clean fuel technologies, we need to produce more oil and natural gas domestically.

The United States encompass a wide diversity featuring deserts, tropical forests, and arctic tundra. The States vary, with some dependent on agriculture and others on manufacturing. States such as Alaska rely on developing its natural resources, and I support the will of the Alaskan people to open their land to oil and gas development.

However, my State of Florida has a different reliance on its natural resources, maintaining

our pristine beaches and waters that could be damaged by offshore drilling. If Alabama or Louisiana wants to permit leasing off its shores, then such leasing should be allowed. But, if my State of Florida has concerns about the effect leasing would have on its fragile ecosystem and its tourism economy, then Florida should be have the authority to ban leasing off its shores.

The underlying bill opens areas to oil and gas leasing that are currently under moratorium while protecting the rights of States to control activities off their shores. As written, H.R. 4761 gives States 1 year from the date of enactment to decide whether to permit or deny natural gas leasing in the area between 50 and 100 miles of their coastlines. If a state does not act, however, leasing can occur. Thus, States have to act in order to prevent leasing between 50 and 100 miles.

This amendment seeks to increase the power States would have in deciding whether or not to allow leasing off their shores. It would prohibit oil and gas leasing within 125 miles of a State's coast unless the Governor and State legislature agree to permit leasing in this area. Instead of having the State take action to prevent leasing, as the DOER Act would require, leasing could only occur within 125 miles of the coast if the State explicitly allows it.

In closing, Mr. Chairman, in a nation as diverse and with as many competing interests as the United States, it is important to return greater authority to the States so they can control activities 125 miles offshore. This amendment does that and I urge its adoption.

Mr. BILIRAKIS. Mr. Chairman, I yield the remaining 20 seconds to the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I have always opposed offshore oil drilling. This amendment extends the protection an additional 25 miles. It is a good amendment. Please support it.

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

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

Mr. BILIRAKIS. 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 Florida will be postponed.

Mr. POMBO. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BONNER) having assumed the chair, Mr. LAHOOD, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4761) to provide for exploration, development, and production activities for mineral resources on the Outer Continental Shelf, and for other purposes, had come to no resolution thereon.

## GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 895 and to insert extraneous material thereon.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Ohio?

There was no objection.

## SUPPORTING INTELLIGENCE AND LAW ENFORCEMENT PROGRAMS TO TRACK TERRORISTS AND TERRORIST FINANCES

Mr. OXLEY. Mr. Speaker, pursuant to House Resolution 896, I call up the resolution (H. Res. 895) supporting intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate Congressional consultation and specifically condemning the disclosure and publication of classified information that impairs the international fight against terrorism and needlessly exposes Americans to the threat of further terror attacks by revealing a crucial method by which terrorists are traced through their finances, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 895

Whereas the United States is currently engaged in a global war on terrorism to prevent future attacks against American civilian and military interests at home and abroad;

Whereas intelligence programs are essential to gathering critical information necessary for identifying, disrupting, and capturing terrorists before they carry out further attacks;

Whereas there is a national security imperative for maintaining the secrecy of our intelligence capabilities from our potential enemies;

Whereas effective intelligence depends on cooperation with foreign governments and individuals who trust the United States to protect their confidences;

Whereas the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction found that ''the scope of damage done to our collection capabilities from media disclosures of classified information is well documented. Hundreds of serious press leaks have significantly impaired U.S. capabilities against our hardest targets'';

Whereas the unauthorized disclosure of sensitive intelligence information inflicts significant damage to United States activities in the global war on terrorism by assisting terrorists in developing countermeasures to evade United States intelligence capabilities, costs the United States taxpayers hundreds of millions of dollars in lost capabilities, and ultimately endangers American lives;

Whereas the 1998 disclosure of classified information regarding efforts to monitor the communications of Usama bin Laden eliminated a valuable source of intelligence information on al Qaeda's activities, an example of the significant damage caused by unauthorized disclosures;

Whereas following the September 11, 2001 terrorist attacks, Congress passed the USA PATRIOT ACT, which included anti-terrorist financing provisions that bolster Federal Government and law enforcement capabilities to find and disrupt the financiers of terrorist organizations;

Whereas following the September 11, 2001 terrorist attacks, the President, with the support of Congress, directed the Federal Government to use all appropriate measures to identify, track, and pursue not only those persons who commit terrorist acts here and abroad, but also those who provide financial or other support for terrorist activity;

Whereas consistent with this directive, the United States Government initiated a lawfully classified Terrorist Finance Tracking Program and the Secretary of the Treasury issued lawful subpoenas to gather information on suspected international terrorists through bank transaction information;

Whereas under the Terrorist Finance Tracking Program, the United States Government only reviews information as part of specific terrorism investigations and based on intelligence that leads to targeted searches, such as searches of a specific individual or entity;

Whereas the Terrorist Finance Tracking Program is firmly rooted in sound legal authority based on Executive Orders and statutory mandates, including the International Emergency Economic Powers Act of 1977 and the United Nations Participation Act;

Whereas the Terrorist Finance Tracking Program consists of the appropriate and limited use of transaction information while maintaining respect for individual privacy;

Whereas the Terrorist Finance Tracking Program has rigorous safeguards and protocols to protect privacy in that record searches must identify a terrorism-related basis, and regular, independent audits of the program have confirmed that the United States Government has consistently observed the established safeguards and protocols;

Whereas appropriate Members of Congress, including the members of the Committees on Intelligence of the Senate and House of Representatives, have been briefed on the Terrorist Finance Tracking Program and have conducted oversight of the Program;

Whereas the Terrorist Finance Tracking Program has successfully provided vital intelligence in support of the global war on terrorism, including information leading to the capture of Hambali, the Operations Chief of Jemaah Islamiyah, an al Qaeda affiliate, who masterminded the 2002 nightclub bombing in Indonesia that killed over 200 people;

Whereas the Terrorist Finance Tracking Program has helped authorities uncover terrorist financiers worldwide and find Uzair Paracha, an al Qaeda money launderer operating in the United States;

Whereas Congress has authorized the Secretary of the Treasury to explore the implementation of systems to review all cross-border wire transactions;

Whereas the bipartisan 9/11 Commission recommended that ''Vigorous efforts to track terrorist financing must remain front and center in U.S. counterterrorism efforts'';

Whereas persons in positions of trust and responsibility granted access to highly sensitive intelligence programs violated their solemn obligations not to disclose classified information and made unauthorized disclosures regarding the program;

Whereas at some point before June 23, 2006, classified information regarding the Terrorist Finance Tracking Program was illegally and improperly disclosed to members of the news media;

Whereas beginning on June 23, 2006, certain media organizations knowingly published details about a classified program that the United States Government had legally and with appropriate safeguards used to track the financing of terrorism, including specific intelligence gathering methods;

Whereas the Administration, Members of Congress, and the bipartisan chairmen of the 9/11 Commission requested that media organizations not disclose details of the Terrorist Finance Tracking Program so that terrorists would not shift their financing to channels in the international financial system that are less easily observed by intelligence agencies;

Whereas the disclosure of the Terrorist Finance Tracking Program has unnecessarily complicated efforts by the United States Government to prosecute the war on terror and may have placed the lives of Americans in danger both at home and in many regions of the world, including active-duty armed forces in Iraq and Afghanistan;

Whereas persons who have access to classified information, or who have classified information passed onto them, have a responsibility to the people of the United States not to endanger the populace through their exercise of the right to freedom of speech; and

Whereas Federal statutes criminalize the unauthorized disclosure and publication of sensitive intelligence information, regardless of the source: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports efforts to identify, track, and pursue suspected foreign terrorists and their financial supporters by tracking terrorist money flows and uncovering terrorist networks here and abroad, including through the use of the Terrorist Finance Tracking Program;

(2) finds that the Terrorist Finance Tracking Program has been conducted in accordance with all applicable laws, regulations, and Executive Orders, that appropriate safeguards and reviews have been instituted to protect individual civil liberties, and that Congress has been appropriately informed and consulted for the duration of the Program and will continue its oversight of the Program;

(3) condemns the unauthorized disclosure of classified information by those persons responsible and expresses concern that the disclosure may endanger the lives of American citizens, including members of the Armed Forces, as well as individuals and organizations that support United States efforts; and

(4) expects the cooperation of all news media organizations in protecting the lives of Americans and the capability of the government to identify, disrupt, and capture terrorists by not disclosing classified intelligence programs such as the Terrorist Finance Tracking Program.

□ 1715

The SPEAKER pro tempore. Pursuant to House Resolution 896, the gentleman from Ohio (Mr. OXLEY) and the gentleman from Massachusetts (Mr. FRANK) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. OXLEY. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, today I am proud to present to the House for our consideration H. Res. 895, a resolution that expresses the sense of the House supporting intelligence and law enforcement programs that track terrorists and terrorist financing. Additionally, the resolution finds that the Terrorist Finance Tracking Program was conducted lawfully and with all due protections of civil liberties. The resolution condemns the unauthorized disclosure of classified information and states that the House expects the cooperation of news media organizations in these matters.

Mr. Speaker, this is a resolution that every Member can and should support. We are at war. Thanks to the great job being done by our members of the U.S. military and law enforcement, Americans feel safe to go about their daily lives, but we are still in fact at war. We depend on classified programs and classified information in order to successfully prosecute that war.

While there is the physical war that is being fought, of course another critical front in this war is terrorist financing, and that is where we focus our debate today. It is critical, because where terrorists place and spend their money is one of the best indicators about where the terrorists are located, who they are, and where they may strike again.

The editors at the New York Times would do well to reread the editorial they published on September 24 about 2 weeks after September 11, 2001. In part, it reads: ''The Bush administration is preparing new laws to help track terrorists through their money laundering activity and is readying an executive order freezing the assets of known terrorists. Much more is needed, including stricter regulations, the recruitment of specialized investigators, and greater cooperation with foreign banking authorities.'' The editorial concludes, ''If America is going to wage a new kind of war against terrorism, it must act on all fronts, including the financial one.''

All of that activity that was recommended by the New York Times so soon after 9/11 was taking place and was being done with an extraordinary amount of international financial cooperation by the U.S. Treasury and its Terrorist Finance Tracking Program. The program was being conducted in accordance with current U.S. and international law, with executive orders, with outside audits, and with all proper care being given to individual liberty. I need to add that it was also being conducted with significant success.

And part of that success was because this Congress passed the PATRIOT Act and our committee stepped forward with antimoney-laundering provisions that became a part of that PATRIOT Act, so important on the war against terror.

However, the recent front-page story in the aforementioned New York Times cut the legs out from under this program. Now the terrorists are well informed of the details of our methods and will find other ways to move money outside of the formal financial system. Now the terrorists will be driven further underground, and we will have to invest further years of work to uncover these new methods.

Unfortunately, a one-day story in the New York Times can ruin years of careful work by those who work to map terrorist networks and the flow of terrorist money. Obviously, the editors of the New York Times are more concerned about their sagging circulation rates and about damaging the Bush administration than they are about disrupting terrorist financing.

For those who may think we are overreacting, all you have to do is go back just a few days to the arrest of the seven terrorist suspects in Miami. That cell was looking to gain funding from al Qaeda to attack American targets. While law enforcement successfully broke that cell in plenty of time, we need to know about financial transactions like those while the attacks are in the planning stage.

In a recent column, Morton Kondracke asked the question: ''Would newspapers in the midst of World War II have printed the fact that the U.S. had broken German and Japanese codes, enabling the enemy to secure its communications? Or would they have revealed how and where Nazi spies were being interrogated? Nowadays, newspapers win Pulitzer Prizes for such disclosures.''

In the same column, Kondracke says: ''But the fundamental problem infecting much of Congress, the media, and the political class, especially those left of center, is that they are consumed with loathing for President Bush and all his works and are prepared to do anything to undermine him, even if it makes the country less safe.''

Continuing to quote Kondracke: ''Everyone in Congress and the CIA should see the movie 'United 93' as a reminder of what we are up against. Muslim fanatics will not only try to destroy the Capitol, but also explode a nuclear bomb, if they can.''

Kondracke goes on: ''And people should heed the warning delivered by Princeton University Professor Bernard Lewis. Lewis cast the struggle with Islamic extremism in World War II terms. 'It is 1937,' he said, 'and we seem to be more in the mode of Chamberlain at Munich rather than Churchill.'''

Kondracke, again quoting Lewis: ''Osama bin Laden and other would-be Hitlers,'' he said, ''consider the United States an effete, degenerate, pampered enemy incapable of real resistance. It's part of the pattern that we fight among ourselves as much as against our enemies. This is more than serious. It's dire.''

These are the words of a well-respected journalist. A profound statement from Kondracke, but right on point.

Another respected voice on the issue is Michael Barone. On USNews.com, Michael Barone recently said: ''Why do they hate us? Why does the New York Times print stories that put America more at risk of attack? They say that these surveillance programs are subject to abuse, but give no reason to believe that this concern is anything but

theoretical. We have a press that is at war with an administration while our country is at war against merciless enemies. The Times is acting like an adolescent kicking the shins of its parents, hoping to make them hurt, while confident of remaining safe under their roof.''

Nobody could have said it better than Michael Barone and Morton Kondracke.

Mr. Speaker, this is a very serious issue. That is why the Congress is debating this resolution. I ask this resolution be supported strongly on a bipartisan basis.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, people who want things to be done in a bipartisan manner should not engage in extreme partisanship at the outset. The resolution that is before us was drafted entirely by Republicans with no input from any Democrat, from the Intelligence Committee, from the Financial Services Committee, or anywhere else, and presented to us a little over 24 hours ago. We then asked for the right to offer amendments, or at least a substitute resolution. It was denied.

I find it extraordinary that repeatedly in the interest and in the name of democracy the majority degrades democracy. How can it be justified that no alternative can be offered? How can it be justified that no amendment can be offered?

Let me say again: We are telling the Shiia majority in Iraq that in their parliament they ought to make an effort to include the Sunni; that it is not simply the majority doing everything, but you work with the minority. You then give, Mr. Speaker, through your party, the opposite example by not allowing even a resolution to be offered for us to be voted on.

We have an alternative that is supported by a very large majority of our caucus. And now let me talk about that resolution, because let us be clear about what is not at issue today.

We have agreement that the method of tracking terrorists through their financial dealings is a good thing. The Democratic resolution, which the majority refuses to allow to be considered in their abusive use of their majority, says explicitly that we support efforts to identify and track terrorists and their financial supporters. So if it isn't unanimous, it is the fault of the majority by doing it so divisively.

We also in our resolution deplore the unauthorized disclosure of classified information. But we talk not simply about people who might print it, but the people in the administration who might release it. Earlier today someone said, well, what would happen if you gave out the name of spies? Well, ask the people in this administration who gave out the name of Valerie Plame. We hope that something will be done.

Here is the difference between the two resolutions: the Republican resolution, drafted entirely by them and withheld from us until its publication, agrees that we should track terrorist financing. So does the Democratic resolution. Theirs, however, includes a number of factual statements that I do not believe we yet have a basis for making.

Now, in some cases, some of those factual statements are about things that turn out, we think, not to have been true. For example, on page 3 of their resolution they have reference to a prior incident in which the Washington Times was accused of having disclosed classified information regarding efforts to monitor the communication of Osama bin Laden.

They don't mention the Washington Times because they like the Washington Times. They mention the New York Times. Times, they are a changing. If it is the New York Times, they don't like it, and they criticize it. If it is the Washington Times, they talk about a far more serious allegation about the Washington Times, that it gave away to Osama bin Laden how we knew where he was, but they don't mention them.

But now it turns out they may very well have been inaccurate about that, and I plan to submit an article from The Washington Post that defends the Washington Times.

But here is the problem we have: we want to say in our resolution, and we hoped it could have been unanimous, that we support this kind of tracking; that we don't want things to be disclosed. But what we are not prepared to say, and, frankly, nobody here is intellectually prepared to say it, people may say it on faith, but here is what they want to say: we find that the program has been conducted in accordance with all applicable laws, regulations, and executive orders; that appropriate safeguards and reviews have been instituted to protect individual civil liberties, and that Congress has been appropriately informed.

I think that the part about our being informed is very inaccurate, and I don't know the answer to the other. What you have done is to hijack the virtually unanimous support for tracking terrorist financing into an endorsement of the way the Bush administration has conducted itself. That is how it became partisan.

Why should this House vote now to say that the program has been conducted with all the safeguards, et cetera, et cetera? We don't know that. Members don't know that. Members on the other side are entitled to take it on faith. I know faith-based resolutions are very important to them, but I don't think as Members of the House of Representatives we ought to be asked to vote, the most solemn thing you do in a democracy as a representative, on factual statements when people cannot know whether they are true.

Again, I want to go back and say, how can you justify, in the name of democracy, denying us a chance to even present an alternative resolution supporting this program?

[From the Washington Post, Dec. 22, 2005]

FILE THE BIN LADEN PHONE LEAK UNDER 'URBAN MYTHS'

(By Glenn Kessler)

President Bush asserted this week that the news media published a U.S. government leak in 1998 about Osama bin Laden's use of a satellite phone, alerting the al Qaeda leader to government monitoring and prompting him to abandon the device.

The story of the vicious leak that destroyed a valuable intelligence operation was first reported by a best-selling book, validated by the Sept. 11 commission and then repeated by the president.

But it appears fa be an urban myth.

The al Qaeda leader's communication to aides via satellite phone had already been reported in 1996—and the source of the information was another government, the Taliban, which ruled Afghanistan at the time.

The second time a news organization reported on the satellite phone, the source was bin Laden himself.

Causal effects are hard to prove, but other factors could have persuaded bin Laden to turn off his satellite phone in August 1998. A day earlier, the United States had fired dozens of cruise missiles at his training camps, missing him by hours.

Bush made his assertion at a news conference Monday, in which he defended his authorization of warrantless monitoring of communications between some U.S. citizens and suspected terrorists overseas. He fumed that ''the fact that we were following Osama bin Laden because he was using a certain type of telephone made it into the press as the result of a leak.'' He berated the media for ''revealing sources, methods and what we use the information for'' and thus helping ''the enemy'' change its operations.

White House spokesman Scott McClellan said Monday that the president was referring to an article that appeared in the Washington Times on Aug. 21, 1998, the day after the cruise missile attack, which was launched in retaliation for the bombings of two U.S. embassies in Africa two weeks earlier. The Sept. 11 commission also cited the article as ''a leak'' that prompted bin Laden to stop using his satellite phone, though it noted that he had added more bodyguards and began moving his sleeping place ''frequently and unpredictably'' after the missile attack.

Two former Clinton administration officials first fingered the Times article in a 2002 book, ''The Age of Sacred Terror.'' Daniel Benjamin and Steven Simon wrote that after the ''unabashed right-wing newspaper'' published the story, bin Laden ''stopped using the satellite phone instantly'' and ''the United States lost its best chance to find him.''

The article, a profile of bin Laden, buried the information about his satellite phone in the 21st paragraph. It never said that the United States was listening in on bin Laden, as the president alleged. The writer, Martin Sieff, said yesterday that the information about the phone was ''already in the public domain'' when he wrote the story.

A search of media databases shows that Time magazine had first reported on Dec. 16, 1996, that bin Laden ''uses satellite phones to contact fellow Islamic militants in Europe, the Middle East and Africa.'' Taliban officials provided the information, with one official—security chief Mulla Abdul Mannan Niazi—telling Time, ''He's in high spirits.''

The day before the Washington Times article was published—and the day of the attacks—CNN producer Peter Bergen appeared

on the network to talk about an interview he had with bin Laden in 1997.

''He communicates by satellite phone, even though Afghanistan in some levels is back in the Middle Ages and a country that barely functions,'' Bergen said.

Bergen noted that as early as 1997, bin Laden's men were very concerned about electronic surveillance. ''They scanned us electronically,'' he said, because they were worried that anyone meeting with bin Laden ''might have some tracking device from some intelligence agency.'' In 1996, the Chechen insurgent leader Dzhokhar Dudayev was killed by a Russian missile that locked in to his satellite phone signal.

That same day, CBS reported that bin Laden used a satellite phone to give a television interview. USA Today ran a profile of bin Laden on the same day as the Washington Times's article, quoting a former U.S. official about his ''fondness for his cell phone.''

It was not until Sept. 7, 1998—after bin Laden apparently stopped using his phone—that a newspaper reported that the United States had intercepted his phone calls and obtained his voiceprint. U.S. authorities ''used their communications intercept capacity to pick up calls placed by bin Laden on his Inmarsat satellite phone, despite his apparent use of electronic 'scramblers,'" the Los Angeles Times reported.

Officials could not explain yesterday why they focused on the Washington Times story when other news organizations at the same time reported on the satellite phone—and that the information was not particularly newsworthy.

''You got me,'' said Benjamin, who was director for counterterrorism on the National Security Council staff at the time. ''That was the understanding in the White House and the intelligence community. The story ran and the lights went out.''

Lee H. Hamilton, vice chairman of the Sept. 11 commission, gave a speech in October in which he said the leak ''was terribly damaging.'' Yesterday, he said the commission relied on the testimony of three ''very responsible, very senior intelligence officers,'' who he said ''linked the Times story to the cessation of the use of the phone.'' He said they described it as a very serious leak.

But Hamilton said he did not recall any discussion about other news outlets' reports. ''I cannot conceive we would have singled out the Washington Times if we knew about all of the reporting,'' he said.

A White House official said last night the administration was confident that press reports changed bin Laden's behavior. CIA spokesman Tom Crispell declined to comment, saying the question involves intelligence sources and methods.

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

Mr. OXLEY. Mr. Speaker, I am pleased to recognize the gentleman from Alabama (Mr. BACHUS) for 5 minutes.

Mr. BACHUS. Mr. Speaker, I rise in strong support of House Resolution 895 by Chairman OXLEY. I commend Chairman OXLEY as the primary sponsor and author of the USA PATRIOT Act. He has been committed to combating terrorist financing, and I want to commend him for his tireless efforts in bringing this resolution to the floor.

We are at war against a savage and relentless enemy. While Americans have a long-established right to know about the actions of their government, when we are at war, when there is a national security concern, there is also a well-founded historical precedent for conducting covert actions out of the media spotlight.

Now, there can be alternatives, as the gentleman from Massachusetts said, but there can be no alternatives to a strong national defense. There can be no alternatives to a strong national security. And the judges of what those are and how to conduct those should not be left to the New York Times. They are for this body to determine.

Following the death of Zarqawi, an internal al Qaeda memo was recovered from his hideout. It explicitly states that al Qaeda's efforts have been hurt by tightening the resistance's financial outlets. This statement serves as concrete evidence, concrete evidence that programs such as the administration's Terrorist Finance Tracking Program are both necessary and effective.

Remember, the 9/11 Commission was critical of the government's failure to track the sources of terrorist financing prior to the September 11 attack. However, in its final report, the commission applauded the government-wide effort to combat terrorist financing after 9/11 for making significant strides in using terrorist finance as an intelligence tool.

They were talking about this program. This program was an important stride.

□ 1730

Indeed, the program paid big dividends, including the arrest of the mastermind of the 2002 Bali bombing, a violent bombing that killed 202 innocent people. In fact, he was convicted based on information from this program, a program The New York Times made a determination to expose.

There is no doubt that America and our allies in the war on terror are safer today because of this program, which is exactly the sort of protection that Americans want and expect from their government.

Some question or debate whether al Qaeda knew about this valuable program. Do they know about it now? Do they know the details? The answer to the question is, yes, no doubt about it.

How do they know? Because they put it on the front page of the newspaper. Not just any paper, but the largest newspaper in the biggest city in the United States.

Who are they? They are the editors and publishers of The New York Times. If you are al Qaeda, the appropriate response to this publication is thank you. If you are indifferent, the answer is so what. But if you are an American citizen endangered by terrorists, the insensitivity, the arrogance, the irresponsibility of this paper and its publication, then the appropriate response is anger and outrage and this resolution.

Now, due to their irresponsible actions, this vital intelligence-gathering program is virtually defunct. No longer would terrorists conduct their financial business with the Swift cooperative. Sadly, no longer will we be able to track their actions. This clearly hampers, clearly hampers, our Nation's ability to conduct the war on terror.

Hopefully, our intelligence agencies will devise other means to effectively monitor our enemies. It won't be easy. They will have to start over. We won't be restricting their financial operations as well as we did before this publication. But at least I would hope that if we do fashion a new program that it will not be reported by the media outlets who want to get a scoop ahead of national security.

Let me close by thanking the chairman.

Mr. Speaker, I rise in strong support of House Resolution 895, which is sponsored by Chairman OXLEY, expressing our support for the Administration's efforts to track terrorist financing through the U.S. Treasury Department's Terrorist Finance Tracking Program. Chairman OXLEY—one of the primary authors and sponsors of the terrorist financing provisions in the USA PATRIOT Act—has been committed to combating terrorist financing, and I want to commend the Chairman for his tireless efforts and for bringing this resolution to the floor today.

We are at war with a savage and relentless enemy. While Americans have a long-established right to know about the actions of their government, when we are at war and when there is an overriding national security concern, there is also a well-founded historical precedent for conducting covert actions out of the media spotlight.

Following the death of Abu Musab al-Zarqawi, an internal al-Qaeda memo was recovered from the terrorist's hideout. It explicitly states that al Qaeda's efforts have been hurt ''by tightening the resistance's financial outlets.'' This statement serves as concrete evidence that programs such as the Administration's Terrorist Finance Tracking Program are both necessary and effective.

Remember, the 9/11 Commission was critical of the government for its failure to track the sources of terrorist financing prior to the September 11th attacks. However, in its final report, the Commission's Public Discourse Project applauded the government-wide effort to combat terrorist financing after 9/11 for making ''significant strides in using terrorism finance as an intelligence tool.'' This program was one such important stride.

Indeed, the program paid big dividends, including the arrest of the mastermind of the 2002 Bali bombing, a bombing in which 202 innocent people were killed. In fact, he was convicted based on information from this program.

There is no doubt that America and our allies in the war on terror are safer today because of this program, which is exactly the sort of protection that Americans want and expect from their government to prevent further terrorist attacks.

Some question or debate whether al-Qaeda knows about this valuable program. Do they know about it? Do they know the details? The answer to the questions is ''yes.'' No doubt about it. How do we know that? Because they put it on the front page of the newspaper. Not just any paper, but the largest newspaper in the biggest city of the United States.

Who are they? The editor and publisher of that very paper.

If you are al-Qaeda, the appropriate response is, "thank you."

If you are indifferent, the answer is, "so what?"

If you are an American citizen endangered by the insensitivity, arrogance and irresponsibility of this newspaper, the appropriate response is anger and outrage!

Now, due to their irresponsible actions, this vital intelligence gathering program is virtually defunct. No longer will terrorists conduct their financial business with the Swift cooperative, and sadly no longer will we be able to track their actions. This result clearly hampers our nation's ability to conduct the War on Terror.

Hopefully, our intelligence agencies will devise other means of effectively monitoring our enemies and restricting their financial operations at least until that program, too, is reported by media outlets that place getting a scoop ahead of national security. Outrageous conduct such as that exhibited in the disclosure of this legal, effective program cannot be allowed to escape just condemnation. Therefore, this resolution.

Let me close by again thanking this Administration and Chairman OXLEY for their efforts in combating terrorist financing. Their dedication and vigilance with regard to these issues have made our nation and the world a safer place.

I urge my colleagues to support House Resolution 895.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 1 minute to the leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, as we approach the Fourth of July, that wonderful holiday where we celebrate America's Declaration of Independence, we must recall that our Founding Fathers understood and placed in our founding documents the important balance between liberty and security.

In that spirit, at the outset, let me reiterate that we all, Democrats and Republicans alike, support two principles. First, we support effective tools to fight terrorism, including the tracking of terrorist financing here and abroad under all applicable laws. Second, no one here condones disclosure of information that harms our vital national interest and makes locating terrorists and terrorist networks and disrupting their plans more difficult.

These basic principles and their frames, liberty and security, are contained in a balanced way in the substitute resolution offered by the distinguished gentleman from Massachusetts (Mr. FRANK). Mr. FRANK's resolution should have been permitted by the rule to be considered today.

But, again, in this closed Congress that we are in, we cannot consider alternatives. We can't even have a motion to recommit. I don't know what is so good about that as we go into the Fourth of July. But let us talk about the Republican resolution.

The Republican resolution before us today is quite clearly a document for political purposes. It makes sweeping and dubious conclusions on the facts and legality of the financial transaction surveillance program, unsupported by any fact-finding or oversight, and based upon representations by the President.

In a free society, we all have our roles and responsibilities. As public officials, we must safeguard our lawful intelligence activities, many of which have been conducted in secret. We respect that.

Our media, of course, have their public responsibilities. A free press is centered on reporting on the workings of government and on being alert, aware and free. They have an obligation to be responsible about their reporting of national security and to balance any reporting with the harm of disclosure.

Mr. Speaker, the Bush administration lacks credibility when it comes to complaining about leaks. The administration's record, and that of this Republican Congress, are marked by selective disclosures of classified information and selective expressions of displeasure over leaks.

When the identity of an undercover CIA officer was disclosed by high-ranking members of the administration in the White House, as part of a smear campaign against a critic of the Iraq war, the President did not fire any of the leakers. In fact, one of them was actually promoted. As Special Prosecutor Fitzgerald has told us, this disclosure could cause severe damage and irreparable harm to our national security.

Similarly, it was recently revealed that President Bush himself was alleged to have authorized for political purposes the selective leaking of intelligence information in a National Security Estimate.

Where was the outrage and the oversight from this Republican Congress? Nowhere to be seen. Repeatedly, this Republican Congress has spurned resolutions of inquiry and neglected congressional oversight responsibility to get to the bottom of leaks by the Bush administration.

So let us take this resolution for what it is. It is a campaign document. The Republican resolution contains a number of statements that simply cannot be factually confirmed and are not the result of congressional fact-finding or rigorous congressional oversight. The Republican resolution also contains a number of statements regarding the legality of the program and the safeguards it claims protects individual rights.

Let me just read what that is. This resolution finds that the Terrorist Financed Tracking Program has been conducted in accordance with all applicable laws, regulations, and Executive Orders, that appropriate safeguards and reviews have been instituted to protect individual civil liberties, and that Congress has been appropriately informed and consulted for the duration of the Program and will continue its oversight of the Program.

Continue its oversight of the program? There has never been any oversight of the program. The fact is, because there has never been any oversight of the program, there isn't one person in this body who will vote on this resolution who can attest to this statement. You are asking us to vote on something that we absolutely cannot attest to. Not any one of you can attest to this as a fact, because it isn't a fact.

So let us just go to where we began, to our founders, liberty and security. As I said before, when the identity of an undercover CIA officer was disclosed by high-ranking members of the administration as part of a smear tactic, nothing was done. Nothing was done by this Congress in terms of oversight. Nothing has been done.

The Frank substitute does not contain any of these unsupported conclusions. The Frank substitute is a resolution that is balanced and accurate and should command the support of all Members.

I intend to vote against this resolution. I wish that we could have the chance to vote for Mr. FRANK's resolution. I think that would have been in keeping with the intentions of our Founding Fathers.

But let us keep in mind their constant admonition that in order to have security, we must have freedom. In order to have freedom, we must have security. We must have balance. This resolution does not.

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that the Chair be authorized to reduce to 5 minutes the minimum time for electronic voting, if ordered, on passage of H.R. 4761.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Ohio?

Mr. FRANK of Massachusetts. Reserving the right to object.

The SPEAKER pro tempore. The gentleman is recognized on his reservation.

Mr. FRANK of Massachusetts. I reserve the right to object. We are being asked to move this very quickly, I guess, because of the baseball game.

If we could get the right to get a vote on our substitute, I wouldn't object. But as long as we aren't even being allowed to have a vote on our substitute, I don't know why we should be asked to hurry up the proceedings.

I would ask the gentleman if we could get unanimous consent now, in addition to this, to allow us to present our substitute. If we could get unanimous consent for that, then I would have no objection to this.

The SPEAKER pro tempore. Does the gentleman object?

Mr. FRANK of Massachusetts. I will object now.

The SPEAKER pro tempore. Objection is heard.

Mr. FRANK of Massachusetts. I ask unanimous consent that the House allow us to present our substitute for a vote.

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

Mr. OXLEY. I object, and I withdraw my unanimous consent request.

Mr. Speaker, I yield 5 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, we are a Nation at war. As a member of the Intelligence Committee, I am aware of many of the Nation's most important efforts to fight and win this war. I pay close attention to our antiterrorist programs, particularly when the details are revealed without proper authorization and our best efforts are rendered ineffective.

I see a trend developing in the growing number of unauthorized disclosures of classified information. In the past few months, we have read countless articles revealing details and making allegations about a host of sensitive national security programs, from the President's Terrorist Surveillance Program to the Terrorist Finance Tracking Program.

Each time, individuals who lack the fortitude to publicly take responsibility for their actions have leaked the details about these classified programs. Each time, the news media gladly aids and abets them by publishing whatever secret that will sell another paper. I am shocked by the easy attitude of many in the media towards disclosing our Nation's secrets.

This past Sunday, June 25, the executive editor of The New York Times wrote a letter to the readers about the newspaper's decision to publish the details of the Terrorist Finance Tracking program. For me, the editor perfectly summed up the prevailing attitude of the media elite.

He wrote, ''The question we start with as journalists is not 'why publish?' but 'why would we withhold information of significance?' We have sometimes done so, holding stories or editing out details that could serve those hostile to the United States. But we need a compelling reason to do so.''

Frankly, Mr. Speaker, I take issue with that kind of arrogance. I can offer quite a few compelling reasons.

First, it is against the law.

Second, it puts our citizens at risk.

Third, publishing secrets in the open press cripples our capability to stop terrorists.

But don't just take my word for it. The WMD Commission reported this very fact to the President, and the Commission's precise language is quoted in the preamble to this resolution.

Fourth, publishing secrets in the open press costs us the cooperation of our allies.

I mentioned earlier that we are a Nation at war, but we are not alone in this war. The intelligence services of our allies cooperate with us and share their sense of information with us upon mutual understanding that this information won't be revealed.

When the secrets provided to us by our allies wind up on the front page, that sense of trust is deeply fractured. We appear unable to keep a secret. Our allies get hurt when they tried to help. They will be less likely to cooperate with us on sensitive intelligence matters in the future for fear of compromising their own sources and methods.

Finally, publishing secrets in the open press undermines people's confidence in the intelligence community. The American people support the extraordinary lengths which our government has gone to defend the Nation against the terrorists on September 11. Moreover, the American people rightly believe that our intelligence service, like our military, is the best in the world. The late Mr. Zarqawi could have attested to both sentiments.

However, when our secrets get published, the public's confidence in the intelligence community starts to ebb. Our intelligence community appears incompetent, unable to maintain the secrecy essential to carry out the mission. Our intelligence community also appears to be unsure of itself.

Mr. Speaker, I have no doubt about our efforts to fight the terrorists. Our House Intelligence Committee has conducted extensive oversight of sensitive anti-terror programs, including three briefings on the Terrorist Surveillance Program. We have had one briefing on the Terrorist Finance Tracking Program.

Mr. Speaker, I will like to make a note that the gentlewoman from California said there were no briefings on this information. I personally have had a briefing and also six on these various detainee issues. Unquestionably, these programs are legal, and they were very effective.

It is my hope, Mr. Speaker, that the Department of Justice convene a grand jury, provide immunity to the newspapers, the editors and reporters, if and only if they would reveal their government sources for these classified leaks.

We need to make clear to the men and women of our intelligence agencies, to our allies and to the American people that these leaks must and will stop. We need to make clear to those members of the news media that publishing leaks of sensitive national security information will not be tolerated.

□ 1745

This resolution does just that. I offer my support, and I urge my colleagues in the House to do the same.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 15 seconds to note that the substitute resolution we are being prevented from even allowing to be debated and voted on also condemns the unauthorized leak of information, and it just does it without the praise which we do not think has yet been substantiated for the Bush administration.

I yield 2 minutes to the gentleman from Michigan (Mr. CONYERS).

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

Mr. CONYERS. Mr. Speaker, I want to begin by commending the gentleman from Massachusetts for the resolution he can't bring to the floor. I am proud to be a sponsor. And it starts off supporting intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate congressional consultation. What's wrong with that? What makes the Republican majority not want to hear the discussion on this amendment? Well, there may be some motive political about this selective crying out about information.

The SWIFT story bears no resemblance to security breaches, disclosure of troop locations, or anything that would compromise the security of individuals. As a matter of fact, I will insert into the RECORD the New York Times editorial of June 28, 2006.

Mr. Speaker, I want to point out further, where were these screams when the Los Angeles Times gave out information on this subject matter? Other newspapers, the Wall Street Journal came out. Nothing was said there. But now we are really worked up.

But why weren't we worked up when the information was published when Judith Miller published her so-called scoops on weapons of mass destruction in Iraq? Or the leaking of the identity of an undercover CIA agent? By the way, that is already a felony, as it already exists.

I cannot support the Oxley resolution. I urge my colleagues to vote ''no'' also.

It is clear this resolution is rebuking the New York Times for publishing information on the Government's access to banking records. In the myriad ''leaks'' that have been published in the press since 9/11, why is the House acting now, on this issue?

Because it is politically convenient to do so. When Judith Miller published her so called ''scoops'' on Weapons of Mass Destruction in Iraq, where was the majority then? Where was the call for investigation?

How about leaking the identity of an undercover CIA agent in an attempt to discredit her husband who was critical of the administration? I believe this House refused to take a stand on that issue numerous times, despite clear evidence that the Vice President personally leaked information.

It is clear that the majority would like to pick and choose which national security information can be reported on by the press. I'd like to remind them that under the First Amendment, that is not their prerogative. That is the consequence of a free press—it will sometimes print stories that the Government disapproves of.

There are already laws on the books criminalizing the leaking of classified information. This resolution is absolutely useless in the fair and thorough application of those laws to recent leaks.

In fact, the only purpose of this resolution is to chill freedom of the press, and put reporters and their papers on notice that the Republican majority will come for anyone who doesn't clear their stories with the administration first.

We all took an oath to uphold the Constitution. Therefore I cannot support legislation that on the one hand wholesale approves of a secret surveillance program none of us know

about, and takes a jab at the First Amendment on the other.

[From the New York Times, June 28, 2006]

PATRIOTISM AND THE PRESS

(By Eric M. Tamarkin, Esq.)

Over the last year, The New York Times has twice published reports about secret antiterrorism programs being run by the Bush administration. Both times, critics have claimed that the paper was being unpatriotic or even aiding the terrorists. Some have even suggested that it should be indicted under the Espionage Act. There have been a handful of times in American history when the government has indeed tried to prosecute journalists for publishing things it preferred to keep quiet. None of them turned out well—from the Sedition Act of 1798 to the time when the government tried to enjoin The Times and The Washington Post from publishing the Pentagon Papers.

As most of our readers know, there is a large wall between the news and opinion operations of this paper, and we were not part of the news side's debates about whether to publish the latest story under contention—a report about how the government tracks international financial transfers through a banking consortium known as Swift in an effort to pinpoint terrorists. Bill Keller, the executive editor, spoke for the newsroom very clearly. Our own judgments about the uproar that has ensued would be no different if the other papers that published the story, including The Los Angeles Times and The Wall Street Journal, had acted alone.

The Swift story bears no resemblance to security breaches, like disclosure of troop locations, that would clearly compromise the immediate safety of specific individuals. Terrorist groups would have had to be fairly credulous not to suspect that they would be subject to scrutiny if they moved money around through international wire transfers. In fact, a United Nations group set up to monitor Al Qaeda and the Taliban after Sept. 11 recommended in 2002 that other countries should follow the United States' lead in monitoring suspicious transactions handled by Swift. The report is public and available on the United Nations Web site.

But any argument by the government that a story is too dangerous to publish has to be taken seriously. There have been times in this paper's history when editors have decided not to print something they knew. In some cases, like the Kennedy administration's plans for the disastrous Bay of Pigs invasion, it seems in hindsight that the editors were over-cautious. (Certainly President Kennedy thought so.) Most recently, The Times held its reporting about the government's secret antiterror wiretapping program for more than a year while it weighed administration objections.

Our news colleagues work under the assumption that they should let the people know anything important that the reporters learn, unless there is some grave and overriding reason for withholding the information. They try hard not to base those decisions on political calculations, like whether a story would help or hurt the administration. It is certainly unlikely that anyone who wanted to hurt the Bush administration politically would try to do so by writing about the government's extensive efforts to make it difficult for terrorists to wire large sums of money.

From our side of the news-opinion wall, the Swift story looks like part of an alarming pattern. Ever since Sept. 11, the Bush administration has taken the necessity of heightened vigilance against terrorism and turned it into a rationale for an extraordinarily powerful executive branch, exempt from the normal checks and balances of our system of government. It has created powerful new tools of surveillance and refused, almost as a matter of principle, to use normal procedures that would acknowledge that either Congress or the courts have an oversight role.

The Swift program, like the wiretapping program, has been under way for years with no restrictions except those that the executive branch chooses to impose on itself—or, in the case of Swift, that the banks themselves are able to demand. This seems to us very much the sort of thing the other branches of government, and the public, should be nervously aware of. We would have been very happy if Congressman Peter King, the Long Island Republican who has been so vocal in citing the Espionage Act, had been as aggressive in encouraging his colleagues to do the oversight job they were elected to do.

The United States will soon be marking the fifth anniversary of the war on terror. The country is in this for the long haul, and the fight has to be coupled with a commitment to individual liberties that define America's side in the battle. A half-century ago, the country endured a long period of amorphous, global vigilance against an enemy who was suspected of boring from within, and history suggests that under those conditions, it is easy to err on the side of security and secrecy. The free press has a central place in the Constitution because it can provide information the public needs to make things right again. Even if it runs the risk of being labeled unpatriotic in the process.

Mr. OXLEY. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman, Mr. KING of New York, chairman of the Committee on Homeland Security.

Mr. KING of New York. Mr. Speaker, I am proud to speak in support of this resolution.

Mr. Speaker, this is a critical time in our Nation's history. Our Nation is at war, and we have seen serial leaks of very important classified top secret information. It is almost as if we are shadow boxing. We are talking about it in a moot court-type way or a theoretical way.

The fact is lives are at risk. The fact is in this particular situation, by the New York Times' own account it was a program that was working. It was a program for which the Times has raised no questions of illegality. It is a program under which the administration, the Secretary of the Treasury, the two cochairmen of the 9/11 Commission went to the New York Times and asked them, in the interest of national security, not to release the details of this program. But they went ahead and did it anyway. And that really, to me, casts a motive over why, questions the motive of the New York Times in doing this.

Back in December I strongly objected when they leaked the details of the NSA terrorist surveillance program. At least, in that instance, the Times raised what they thought were questions of legality. But that didn't even exist in this current situation which, to me, goes to the heart of an issue here, is what is the obligation of a newspaper, how absolute is the first amendment.

My belief in a democratic society, where there is always friction between freedom and responsibility, and while we give extensive rein to the first amendment, to freedom of speech, freedom of the press, no freedom can be absolute. With freedom comes responsibility. And to me the New York Times has clearly crossed that line of responsibility. Those who leaked the information, yes, they should certainly be prosecuted. To get to them is going to be very difficult to do, unless, as the gentleman from Kansas pointed out, reporters and editors are brought in before a grand jury and threatened with contempt if they do not disclose the names of their sources.

Then we will see if those who say they are so opposed to leaks will stand up and support that. Because reporters should not be sacrosanct. Newspapers should not be sacrosanct. It is fine to launch special investigations and hire special prosecutors to go after any other person in the country. But as soon as anyone focuses on the media, focuses on the New York Times, or the L.A. Times, or the Wall Street Journal, then panic sets in, as if special walls of protection must be set up around them. They are not entitled to that.

To me they have a responsibility. The New York Times has woefully failed in its responsibility. I say the jury might still be out on the L.A. Times and the Wall Street Journal as to whether or not, what their motives were. Did they only follow because the New York Times went first? I don't know. But no one should be immune from investigation here. They should be looked into very, very carefully. We should go after the leakers. And to me, the New York Times, is not just the facilitator of the leakers, they are coconspirators of the leakers because it was leaked to the Times and the Times leaked it to the American people and to the world. And because of that, our position as a Nation is weaker. Our people are at risk. Our people suffer and face the further suffering and death, and that will be on the hands of the New York Times. That blood will be on their hands.

I urge adoption of the resolution.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 3 minutes to the ranking member of the Intelligence Committee.

Ms. HARMAN. Mr. Speaker, I rise to oppose this resolution and to support a more responsible alternative, which, unfortunately, is not made in order for debate.

Mr. Speaker, there is not a single Member of this body who thinks tracking terrorist finances is a bad idea. As the 9/11 Commission said, ''follow the money.''

But any intelligence program, no matter how critical to national security, must comply with law and the Constitution. The Supreme Court ruled today in the Hamdan case that no President has unlimited powers; no President is above the law, even in matters of national security.

Although this program has been operating for over 4 years, virtually no one in this House knew about it, and there has been absolutely no oversight. Two Members were briefed in 2002 when the program began. One Member in 2003, two in 2005, that is a total of five. And now several dozen more, including me, last month, only after it became clear that the program had leaked. The only reason I and others were briefed is the administration wanted to stay ahead of the press curve.

Mr. Speaker, if you vote for the Oxley resolution, you are certifying that the program is in full compliance with all applicable law. As previous speakers have pointed out, the second finding of the resolution states the program has been conducted in accordance with all applicable laws, regulations, and executive orders; appropriate safeguards and reviews have been instituted to protect individual civil liberties, and Congress has been appropriately informed and consulted.

How can you know this? I don't know this. No Member has been briefed more than once. No hearings have been held and no reports issued.

Moreover, I feel this White House will use a ''yes'' vote as an authorization for further programs, scope unknown.

Mr. Speaker, I won't go there. Remember the authorization to use military force in Afghanistan? Until today, in the Hamdan decision, the White House has been using that vote to support unlimited detention as well as the NSA program.

There are some legitimate issues raised by this resolution. Leaks can get people killed. Those who leak highly sensitive intelligence information can damage our national security. The resolution many of us wanted to offer makes this clear. But if we prosecute newspapers and erode the first amendment, we will end up killing our Constitution.

In May, the House Intelligence Committee held open hearings on the role and responsibilities of the media in national security. We received over 25 submissions for the record, and the overwhelming sentiment was to tread lightly on action that could chill our first amendment freedoms.

Mr. Speaker, as I said in that hearing, if anyone wants to live in a society where journalists are thrown in prison, I encourage them to move to Cuba, China or North Korea to see if they feel safer.

This resolution asks Congress to give the administration another blank check. It is unworthy.

Mr. OXLEY. Mr. Speaker, I yield 5 minutes to the chairman of the Intelligence Committee, the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Speaker, I would like to thank my colleague from California, the ranking member on the Intelligence Committee, for the work that we have done together on leaks, and I think the approach that we have taken on the committee.

We, today, are on different sides. I rise in strong support of this measure.

Just a week ago, this program was one of the most highly classified and sensitive intelligence programs of our Nation. Former 9/11 Commission Chairman Tom Kean said that the idea of a U.S. having a tap into this type of information would have been, quote, impossible to believe, end of quote.

There is little dispute that the program is lawful. It is appropriate, and it has been an effective tool to identify terrorists and their financial networks. The Intelligence Committee has been briefed, has been conducting oversight.

My colleague has talked a little bit about the Members that were briefed. But also it is important to note, and as many of us know, much of the work that is done on any committee in the House or on the Senate side, there is significant work that is done by staff. Nine staff members, joint House, Senate, 9/11 inquiry staff, were briefed in May of 2002. HPSCI consistently, in 2002, 2003, twice in 2005 and three times in 2006, have been briefed on this program. The program has had extensive exposure to staff and to Members.

A week ago, this program was only about one thing, finding our enemies and keeping Americans safe. If it had been talked about in a secret setting or in a public setting, it would have violated the law, the rules of the House. Today I am not only talking about it; it seems like everyone in America may be talking about it. And the interesting thing is that perhaps the group that is most closely watching this and trying to understand exactly what this program may be capable of doing are our terrorist enemies. They are now aware of what we are doing.

Sure, we told them after 2002 we are going to track you financially, we are going to try to intercept your communications. We are going to try to find you in Afghanistan. We are going to try to find you wherever you may be. Sure, they knew that. But they never had the details of the specific tools that would be at our disposal to help us catch them, to help us stop their funding streams and enable us to go out and make sure that they could not attack us again successfully. That tool has now been compromised, along with other tools.

That is a disappointment. The newspapers bear a responsibility for that. I find it very interesting that as we go through this process, the New York Times has decided that on their part, they went through a process that indicated that now it is okay to release this information. We don't know what process that is. Some of us have had experiences with the New York Times before where they were going, quote, unquote, through their process. And it is a very, very questionable process that they go through, but we don't know and they don't talk about that process.

They don't talk about who they talk to. They don't talk about what information is provided to them, and they do not talk about what information they provide to the sources or to the people that they may be seeking information from.

I would love the New York Times to do an exposé of their program and their review process that led them to this decision to publish this program. I would also like to see the exposé of the process that they went through and the deliberative process and the information that they shared when they made the decision to go public with the terrorist surveillance program.

□ 1800

I think it would be enlightening to the American people to understand their process as they make these very, very critical decisions that have an impact on our national security.

And, finally, we do need to focus on finding the people that leaked this information, whether they are in the intelligence community, whether they are somewhere else, in the executive branch, or whether they are in Congress. I think we have a mutual goal and objective to stop these leaks, to do effective oversight, and to make sure that the intelligence community is working within the box that we have set. That function is the responsibility of the House and the Senate. It is not a function of America's press to go through that process in a way that is unaccountable to us and to the American people.

I urge my colleagues to support this resolution.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 10 seconds.

I note that several on the other side have said, yes, it is true al Qaeda and the terrorists knew we were going to be tracking them financially. They just didn't know that would involve bank records. That seems to me wholly implausible.

Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Speaker, I ask unanimous consent that H. Res. 900 be included in the RECORD at this point in time.

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

There was no objection.

H. RES. 900

Whereas the United States is currently engaged in a global war on terrorism to prevent future attacks against American civilian and military interests at home and abroad;

Whereas intelligence programs are essential to gathering critical information necessary for identifying, disrupting, and capturing terrorists before they carry out further attacks;

Whereas there is a national security imperative for maintaining the secrecy of our legitimate intelligence capabilities;

Whereas effective intelligence depends on cooperation with foreign governments and individuals who trust the United States to protect their confidences;

Whereas the unauthorized disclosure of sensitive intelligence information, including

the names of clandestine service officers of the Central Intelligence Agency, inflicts significant damage to United States activities in the global war on terrorism;

Whereas following the September 11, 2001, terrorist attacks, Congress passed the USA PATRIOT Act, which included anti-terrorist financing provisions that bolster Federal Government and law enforcement capabilities to find and disrupt the financiers of terrorist organizations;

Whereas following the September 11, 2001, terrorist attacks, the President directed the Federal Government to use all appropriate measures to identify, track, and pursue not only those persons who commit terrorist acts here and abroad, but also those who provide financial or other support for terrorist activity;

Whereas consistent with this directive, the United States Government initiated a classified Terrorist Finance Tracking Program and the Secretary of the Treasury issued subpoenas to gather information on suspected international terrorists through bank transaction information;

Whereas a few Members of Congress were notified of the existence of the Terrorist Finance Tracking Program, with most notifications taking place only after an intent to publish stories about the program was communicated;

Whereas Congress has authorized the Secretary of the Treasury to explore the implementation of systems to review all cross-border wire transactions;

Whereas the bipartisan 9/11 Commission recommended that ''Vigorous efforts to track terrorist financing must remain front and center in U.S. counterterrorism efforts''; and

Whereas persons in positions of trust and responsibility granted access to highly sensitive intelligence programs should not violate their solemn obligations not to disclose classified information: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports efforts to identify, track, and pursue suspected foreign terrorists and their financial supporters by tracking terrorist money flows and uncovering terrorist networks here and abroad in accordance with existing applicable law, but notes that the expression of such support in this resolution should not be construed as providing additional authority for such efforts; and

(2) expresses concern that the unauthorized disclosure of classified information may have made efforts to locate terrorists and terrorist networks, and disrupt their plans, more difficult.

Mr. HOYER. Mr. Speaker, I rise in support of H. Res. 900.

Let me read H. Res. 900's opening resolution: ''Supporting intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate congressional consultation.''

Everybody in this body supports tracking terrorists. Everybody.

The gentleman who chairs the Intelligence Committee just talked about process. Neither the New York Times nor the Los Angeles Times nor the Wall Street Journal raise their hands and swear to defend the Constitution and protect the laws of the United States of America. We do that, and we have processes to determine how best to do that.

We are at war, and we ought to be united, and I will lament the fact that the Republican leadership continually presents resolutions designed to divide rather than to bring us together. There was not one second of hearing on the resolution before this body, not one. There was no process. There was no oversight. There was no fact-finding. There was no way to determine what, in fact, the facts are.

We are not the newspapers. We have sworn an oath before God and to our constituents to do our work in a way that protects and defends the Constitution and the statutes of this land. You have not done that. You have not brought us together. You have not said let us come together on a resolution. Not only that, but we have an alternative. I have read you its preamble, which accomplishes the same objective you want but without adopting premises that none of us, not one of the 435 of us, know that those premises are accurate.

I tell my friend, the gentleman from Ohio (Mr. OXLEY), he has not had one minute of hearings in his committee on this resolution, not one.

Is that responsible? Is that the way the people of the United States want us to carry out important functions of government when we are at war? I think not. I think they expect more of us. We do not honor this institution or its processes or our Constitution by the actions we take today on this floor.

I will oppose this resolution, but I will support H.R. 900, which says very clearly and emphatically that we want to determine what terrorists are doing. We want to intercept the information from financial institutions that further a conspiracy to create terror and injury and damage to our country and to our people. But we should have done it, I tell the chairman, in a collegial way, in a cooperative way, in a partnership against terrorism, not in a partisan effort to divide and to make political points.

Mr. OXLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Arizona (Mr. HAYWORTH).

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

Mr. HAYWORTH. Mr. Speaker, when your house is on fire, do you hold a hearing? When you need emergency treatment, do you take time for a hearing?

I rise in support of this resolution because at times we need not be prisoners of process but instead champions of policy.

What is past is prologue. The year 1944, early in that year, General Dwight David Eisenhower steps before the war correspondents and says, with reference to D Day, Fellows, I want you to know it is going to be in early June.

The war correspondents to a man stopped writing. One asks, General, why did you tell us?

And Ike responds, Because you are good Americans and I know you won't endanger the lives of other Americans.

The question before this House is just that stark and just that simple. In wartime, despite partisan differences, will we stand together knowing that information is sensitive in wartime and some information should remain secret to protect the American people? That is all this resolution says, that we abhor the leaks and that they must stop and together we must win this effort. Our future depends on it.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 10 seconds.

If that was all the resolution had said, we wouldn't be here. It also says that the Bush administration has carried this out in a perfect fashion. And yet you can have hearings during a war. Harry Truman showed how to do that and made for himself a great reputation and helped the war effort.

Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of the Frank amendment because I believe I can embrace security and freedom and liberty.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 2½ minutes to the dean of the House, who is a man of great experience in how to handle these conflicting issues, the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Mr. Speaker, there is no one in this Chamber or in this body that is not a loyal American and does not want to see to it that our troops, our Nation, and our security is protected. But this is not the way to do it.

This resolution is conceived in sin, and it is brought forward to us without an opportunity to consider it or discuss it properly. No hearings, no opportunity to amend, not adequate discussion, not an opportunity for a motion to recommit. All done in a closed fashion, sprung on this body with no time to consider. The end result: The opinion has to be that this is a clear, bald-faced attempt to strangle criticism of this administration. This is an attempt to silence the press.

I would quote to you what Tom Jefferson had to say some years ago: ''I am for freedom of the press and against all violations of the Constitution to silence by force and not by reason the complaints or criticisms, just or unjust, of our citizens against the conduct of their agents.''

Now, beyond that, Herbert Hoover: ''Absolute freedom of the press to discuss public questions is a cornerstone of American liberty.''

That is what we are talking about here, the first 10 amendments, the Bill of Rights of the Constitution.

This administration is perhaps the most deceitful and dishonest that I have seen in the 50 years I have served

in this body. They either do not know what they are talking about or they deliberately mislead. They told us about the weapons of mass destruction in Iraq. They told us about Iraqi connection to al Qaeda. They asked us to believe that the giving of no-bid contracts to Halliburton, which wastes billions of dollars, are in the public interest. They tell us that the insurgency is in its last throes. They tell us that they are protecting our civil liberties while they are tapping our phones and spying in our libraries and looking into our bank accounts. They tell us to trust them on everything because they are protecting our civil liberties.

Well, I don't think I can trust this administration to protect my civil liberties or those of the people that I serve. And I certainly don't believe that the majority has shown that we can trust them because they are not having a fair or decent debate on this. They are bringing to the floor a bill under a gag rule to gag the press, to intimidate the press, and to see to it that the one agency in this country that is telling the people the truth about what is going on over in Iraq and elsewhere and the functions of this administration is denied the opportunity to come forward and to tell the truth so that the people may know of the follies and abuses of this administration.

Mr. Speaker, I rise to denounce this resolution that we have before us today. I denounce it because, it is not only inaccurate—and inaccuracies have no place in carefully considered legislation—but also because I believe that it is a pernicious attack on the very foundation of a free society.

It is impossible to have a democracy without a free vibrant press, the claims of this Administration not withstanding.

It is the press that keeps our government transparent, and policy makers honest.

It is the press that informs the public, and we should have nothing to fear from an enlightened population.

In fact, what we should fear is a public that takes its cues from politicians rather than newspapers.

Over two-hundred years ago Thomas Jefferson said, "I am for freedom of the press, and against all violations of the Constitution to silence by force and not by reason the complaints or criticisms, just or unjust, of our citizens against the conduct of their agents:"

Almost a century ago Walter Lipman wrote, "A free press is not a privilege, but an organic necessity in a great society" and the epitome of Republican presidents, Herbert Hoover, said. "Absolute freedom of the press to discuss public questions is a foundation stone of American liberty;"

But this Congress and this President are cut from a whole different cloth. The press, and by extension the people, are things to be feared. They believe the press should be dismissed, and the public should be ignored.

This Administration seems to think that any oversight is bad oversight, and the Congress willingly agrees. In fact, the only thing that has kept the public as woefully informed as they are has been the press.

For the past five and a half years, the President and his deputies have told the American people "Trust us."

Trust us on the existence of weapons of mass destruction in Iraq.

Trust us on an Iraqi connection to Al Qeda.

Trust us on gigantic no bid contracts to Haliburton which wastes billions of dollars of the taxpayers money.

Trust us on mission accomplished.

Trust us on the insurgency being in its last throes.

Trust us that civil liberties are being protected as we pursue terrorists.

Trust us that we had no idea New Orleans levies could be breached.

Trust us that everything is legal and your civil liberties are protected.

Well, Mr. Speaker, I do not want to trust anymore. I cannot trust the claims of this Administration anymore, and the only people that have even attempted to keep them honest, and to inform the American people, is the press.

An uncomfortable truth was revealed in the New York Times, and a needless detail was included in a Washington Times story in 1998 that enabled Osama bin Laden to escape capture. Yet these are the prices we pay for a free press.

No one ever said that freedom was easy, or neat, or simple to manage. Rather it is hard, it complicates policy, and makes governing messy.

But it also works and it has made us a model to be emulated and to be envied throughout the world—and I would have it no other way.

I urge my colleagues to voted on the resolution.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. DAVIS), a member of the Committee on Financial Services, one of those kept in the dark on this.

Mr. DAVIS of Alabama. Mr. Speaker, I thank the gentleman for yielding.

I rise in support of your resolution that the House will not get to vote on; and I have to begin by pointing out some of the absurdities put before the House tonight, Mr. FRANK.

On one hand, we hear that the terrorists are cunning and brilliant and threaten every liberty that we have. On the other hand, on the next hand, they are too dense to know we are monitoring their bank transactions.

On one hand, we decry, with every piece of passion and indignation we have, the New York Times. We dust off the reputation of the deputy chief of staff who tried to leak classified information to them and put him in charge of the fall campaign strategy.

So I begin with the absurdities, but I end with a more profound point. If you vote for this resolution, you are voting for two simple statements: The first statement is to one newspaper and to one executive branch. This is an admonition by the Congress to prosecute an American newspaper. I do not know that we have done that in all the years that we have been here.

And then there is the second statement to every newspaper in the United States of America and every magazine, to everyone who carries a journalist's pen that the next time you think about piercing the veil of secrecy, be afraid, be very afraid, because the hammer may fall on you.

And I do not trust that, Mr. FRANK, for a very simple reason. These checks and balances have swung far too widely in favor of the Executive. The President, I respect all of his power and all of his authority, but he is not the sole arbiter of what is right and what is wrong. And because we haven't performed our oversight role, we have left him with this role of being the arbiter of what is classified, of what is wise, and what is necessary to protect this country.

So I end with this trade-off: We would be very happy to give up some of the freedom of the fourth estate if this branch of government, the legislative, would do its task of oversight. But because we are not doing our task and we see instances of it time after time, yes, we need a fourth estate that is free. We need a fourth estate that is not chilled.

Mr. OXLEY. Mr. Speaker, I will take a second to correct the gentleman from Alabama. There is not one word in this resolution that calls for prosecution of anything other than leakers. Not the media.

Mr. DAVIS of Alabama. That is the effect, Mr. OXLEY. It is the effect of it.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 10 seconds.

There is a very clear notice in the Republican resolution, and I call it that simply because that is how they decided it should be. They drafted it and didn't even show it to us until it was printed. They asked for no input. But it very clearly references the current criminal statute that is there, and I do not think that was for no reason.

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

Mr. MARKEY. Mr. Speaker, there is no American, Democrat or Republican, who does not want to pursue, capture and, if necessary, kill any al Qaeda who threatens our country. And what is happening here tonight is an attempt to shoot the messenger, which is the New York Times and the Wall Street Journal and the L.A. Times, that there may be a program that is being conducted by this administration which may not be constitutional. It may not be proper oversight.

□ 1815

Now, we are told that Booz-Allen, an accounting firm, is checking for us. But we did not subcontract constitutional protections to an accounting firm. Enron hired Arthur Andersen; we know what happened to their investors. We are supposed to be the checks along with the Federal courts.

Now, they say that you don't have to worry, we already know what's going on. Well, the resolution says that the program only reviews information as

part of specific terrorism investigations and based on intelligence that leads to targeted searches. How do we know that?

The resolution says that the program is rooted in sound legal authority based on executive orders and statutory mandates. How do we know that?

The resolution says that the program consists of the appropriate and limited use of transaction information while maintaining respect for individual privacy. How do we know that?

This resolution says that the program has rigorous safeguards and protocols to protect privacy. How do we know that?

There have been no hearings. There has been no oversight. There have been no congressional investigations into this bank record surveillance program. Booz-Allen knows more about this program than the Members of the United States Congress and Federal judiciary. How do we know?

Instead, they shoot the messenger, the press of our country, for revealing that they trust an auditing firm more than the Federal judiciary.

Vote ''no.''

There is no question that our country must work acitvely and aggressively to put Al Qaeda out of business.

There is no debate abut this point—terrorists are planning to strike our country again, and we must not waiver in our efforts to prevent another attack.

But while we work to destroy Al Qaeda, we must not debase our Constitution.

While we track terrorists around the globe, we must not trample on the very principles that are the foundation of our democracy.

The Bill of Rights did not come with an expiration date.

Taking the fight to the terrorists and abiding by our constitutional requirements are not mutually exclusive responsibilities.

Mr. Speaker, I agree with many of the provisions in this resolution:

We must choke off funds used by terrorists to fund their activities; We must use our intelligence capabilities to detect and disrupt terrorist plots before they occur; We must work with our allies in the global war on terror.

But I cannot support a resolution that falsely claims that the Congress was appropriately consulted on this program, and appropriate oversight of the program was conducted. That is simply not true.

This Resolution is a perfect example of why the American people are getting fed up with the Republican Rubber Stamp Congress.

Just last Friday, the New York Times, the Wall Street Journal, and the Los Angeles Times reported on the existence of a secret Bush administration program to monitor banking transactions. These reports come just six months after earlier revelations about the existence of a program to monitor telephone call records. The reports themselves indicate that some of the Government officials familiar with the program had concerns with the scope and breadth of the bank record surveillance program. Congress was not fully notified about the program. No federal court approved the subpoenas that were sent to the international consortium called ''SWIFT'' that had these bank records.

So, what is the reaction of this Congress to these revelations?

Are we going to conduct hearings to evaluate this program?

Is there going to be any oversight to determine whether or not it fully complies with all Constitutional and legal requirements?

No, what we're going to do is take up this resolution and retroactively bless a program that we weren't told about.

What we're going to do is shoot the messenger—the news media—for informing this House and the American people that such a surveillance program existed.

The Bush administration has claimed that tapping bank records without a court order is legal. Perhaps it is—but shouldn't we conduct some oversight to find out?

But, the Bush administration also argued that waterboarding and other cruel interrogation techniques were fully legal. Once Congress found out about those techniques, it passed the McCain amendment to make it clear that such techniques were not legal.

The administration argued that trying prisoners at Guantamo Bay before military tribunals and denying them the protections of the Geneva Convention was also legal, but the Supreme Court just ruled earlier today that it was not.

Now the Bush administration argues that the secret bank records program is entirely legal. Perhaps it is. But, perhaps it is not based on the Bush administration record of expansive legal interpretations of executive authority, I don't think that this Congress should just take the administration's word for it. At minimum, we should be asking questions. We should be conducting some real oversight into this program to find out. We should be holding hearings to examine this program and to determine whether it fully complies with the laws—if necessary, in closed executive session.

The resolution before us today makes findings and reaches conclusions for which there is not yet evidence.

This resolution finds that the program ''only reviews information as part of specific terrorism investigations and based on intelligence that leads to targeted searches.'' How do we know that?

This resolution finds that the program ''is rooted in sound legal authority based on executive orders and statutory mandates.'' How do we know that?

This resolution says that the program ''consists of the appropriate and limited use of transaction information while maintaining respect for individual privacy.'' How do we know that?

This resolution says the program ''has rigorous safeguards and protocols to protect privacy.'' How do we know that?

This resolution says that this secret bank record program ''has been conducted in accordance with all applicable laws, regulations, and executive orders, that appropriate safeguards and reviews have been instituted to protect individual civil liberties.'' How do we know that?

There have been no hearings. There has been no oversight. There has been no Congressional investigation into this bank record surveillance program.

Instead of Congressional oversight, or approval by a Federal Judge, this program has relied on a consulting firm hired by the administration—Booz-Allen—as the only oversight mechanism to evaluate the legality of the financial surveillance program. The Bush administration should have subjected it to proper oversight by Congress and the courts. But it chose not to do so.

There is no factual or evidentiary basis for the findings and conclusions reached in this resolution, other than the claims issued by the Bush administration. Before this body goes on record in support of those claims, we have an obligation and a duty to actually hold the hearings and conduct the oversight needed to assure ourselves that the Constitutional rights and the privacy rights of the American people have been appropriately respected.

We should not be passing this resolution today, before we have those answers. That is the gentleman of Massachusetts (Mr. FRANK) sought to offer a substitute amendment that would have represented a more appropriate response. The Frank substitute would have deleted the findings and conclusions in the resolution for which there is as yet not sufficient evidence. It would have supported efforts to identify, track and pursue suspected terrorist and to track their money flows in accordance with existing law, and it would have refrained from inappropriately charging the news media with harming our national security. But the rubber stamp Republican majority that controls this Congress refused to make this amendment in order. They're afraid of a real debate on real alternatives.

I urge rejection of this resolution. This body should be able to vote and debate on real alternatives to rubber-stamping whatever position the Bush administration takes.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. I find it interesting that when the 9/11 Commission gave this Congress 12 Ds, five Fs, and three incompletes for protecting America, nobody thought it was dangerous to America's national security or for protecting our citizens. Nobody wanted to get the 9/11 Commission recommendations down here for a vote.

The chairman of the Intelligence Committee said it is the Congress who will conduct oversight. When we were told this was a quick war, not a long one and it turned into a long war, where was the oversight?

When we were told that the war in Iraq was going to be conventional and became a guerrilla war, where was the oversight?

When we were told we were going to be greeted as liberators and we became occupiers, where was the oversight?

When we were told that we had enough troops and it has been clear that we needed more, twice as many, where was the oversight?

At every chance there was for the Congress to exercise its oversight, this Congress walked away from it.

On the war on terror, Democrats have given the President everything he wanted. The Republican Congress has denied the President the one thing he needed, oversight. It is in this area that oversight is most important. Every Democrat, every Republican, every Independent, every American wants to protect the country. There is

a role for the United States Congress in oversight. The one institution that is providing some accountability is a free press, and one element of it is singled out for isolation in an attempt to intimidate it.

The Congress, as my Congressman said from Alabama, if the Congress was acting in its role of oversight, you would not have to come up with a gimmick to attack the one entity, the free press, that is also doing its function. I find it almost ironic at this point that we have a political strategy being designed by somebody and we all know what is happening here. It is a political strategy to divert people's attention from the real problems facing this country, one of which is the role of the Congress to protect the American people. Its job is oversight and accountability, and it has abdicated that for 2 years.

Mr. FRANK of Massachusetts. Mr. Speaker, I now yield 2 minutes to a senior member of the Financial Services Committee and one of the leaders on the whole question of how we should be dealing with our current problem, the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I rise in support of the Frank resolution, 900, which was not made in order by the Rules Committee.

As many of you know, the Financial Services chairman, Mr. OXLEY, introduced House Resolution 895. The Oxley resolution is well-intended, but I cannot support it. It condemns the media for disclosing information related to the Terrorist Finance Tracking Program. The resolution is misleading. It contains whereas clauses characterizing Congress' role in overseeing the program. There is no oversight to this terrorist tracking program.

Mr. Speaker and Members, this is America and Americans ought to be concerned about what is going on in this government at this time. As a matter of fact, I think this government is spinning out of control. The government is violating the United States Constitution and Federal law in the name of fighting terrorism. Your President truly believes he can disregard the Constitution, create new laws and executive orders and whatever he does, he says, is constitutional because he is the President.

Keeping with this imperial Presidency attitude, the Republicans have the audacity to try and intimidate the press, using the same tired old Karl Rove tactics that have become common to this administration: intimidation, threats. They have accused us of cutting and running on the Iraqi war, questioning Members' patriotism, accusing Democrats of being soft on terrorism, and now the press. If the New York Times, The Washington Post and the Washington Times or any other newspaper back off its responsibility to report the news, no matter how unpopular, they may as well close up shop and quit the news business.

This resolution as introduced by Mr. OXLEY, that again is misleading, condemning the media, must be rejected. This is not China, Vietnam, Cuba, Sudan, Zimbabwe or Saudi Arabia. The free press is central to a democracy. We are seeing the PATRIOT Act, the NSA spying, the telecommunications companies giving up our private information. Enough is enough. We must stop with this resolution.

Mr. OXLEY. Mr. Speaker, I am pleased now to yield 2 minutes to the gentleman from Arizona (Mr. RENZI), the only member of the Financial Services Committee and the Intelligence Committee.

Mr. RENZI. I thank the gentleman for his leadership.

The law is a little bit of a sticky wicket. There are a lot of claims being made on the other side of no oversight and that the President hasn't properly informed the Congress. NANCY PELOSI was properly informed; the ranking member of the Intelligence Committee, properly informed. HARRY REID, properly informed.

What does the law say? The law says the President shall keep the intelligence committees informed. The implementation clause, and I would recommend it to the gentleman from Massachusetts, the President and the congressional intelligence committees together shall establish these procedures. Who established them? Harry Truman, 1947. Who established the Gang of Eight and used it more than any other President? Jimmy Carter prior to September 11.

The law and history is a sticky wicket.

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. RENZI. No, I won't yield. I was only given a few seconds.

Mr. FRANK of Massachusetts. The gentleman made it a point to mention me and will not let me respond.

Mr. RENZI. It's my time. I only get a few seconds.

The New York Times and the business of leaking is beginning to have a cumulative effect. By their own account, they have leaked the government's most closely regarded secrets. They said that it has only led to a few potential terrorists.

Let me close with this: a few potential terrorists did damage to this country on September 11. A few terrorists can help to take down and destroy this Nation and wound this Nation. They are not the ultimate arbitrators of how you declassify information. We all agree on that. They can't hold themselves above the law. They have got to allow and work with us.

This is the second time we have passed a resolution asking the media to work with us. I feel, my opinion, that those in the administration, this administration, those in government agencies, those in the media and those in both the Democratic and Republican Party who leak information should be prosecuted. We have got to put an end to this charade. We have got to do it together.

Mr. FRANK of Massachusetts. I yield myself 10 seconds to point out that, yes, it's true, Ms. PELOSI was briefed. In 2002, at the beginning of the program. She is not a fortune teller.

Mr. RENZI. Whoa.

Mr. FRANK of Massachusetts. Regular order. I ask the gentleman to be seated. I asked the gentleman when he mentioned me to yield. He declined to do so. For him now to interrupt me without even asking for a yield is wholly outside the rules of the House, and I ask he be instructed in them.

Mr. RENZI. Will the gentleman yield to correct a fact?

Mr. FRANK of Massachusetts. I will yield to the gentleman exactly as he yielded to me. No.

The SPEAKER pro tempore. The gentleman from Arizona will suspend. The gentleman from Arizona, please suspend. Please take a seat.

Mr. RENZI. I will be happy to suspend, sir.

The SPEAKER pro tempore. The gentleman from Massachusetts may proceed.

Mr. FRANK of Massachusetts. The gentlewoman from California (Ms. PELOSI) was briefed at the outset. The other gentlewoman from California, the ranking member of the committee, was briefed, as I was offered a briefing, after it was about to be made public.

I now yield 1 minute to the gentlewoman from New York, a member of our committee.

Mrs. MALONEY. Mr. Speaker, I rise in support of the Frank resolution that we are not permitted to vote on. All of us support legal efforts to track terrorist financing. But what we have before us is a nonbinding resolution that is more about stirring the Republican political base and silencing the press than protecting our country.

The resolution makes declarations about actions that have yet to be confirmed without conducting any oversight and without all the facts. The Republican Party has become masters of cut and run, cutting from the issues so that they can run for reelection in November.

This resolution is a diversion. If it was really about condemning leaks of classified information, it would also mention Valerie Plame, Karl Rove and Scooter Libby. And as the Member of Congress representing the district that suffered the greatest loss of life on 9/11, I believe that combating terrorism is a serious, bipartisan issue, not a one-sided, last-minute, take-it-or-leave-it, Republican-only, political campaign stunt.

Mr. OXLEY. Mr. Speaker, I believe I have the right to close, and I reserve the balance of my time.

Mr. FRANK of Massachusetts. May I ask, the gentleman has only one more speaker?

Mr. OXLEY. Me.

Mr. FRANK of Massachusetts. Me, too.

How much time do I have remaining, Mr. Speaker?

The SPEAKER pro tempore. 3½ minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself 3½ minutes.

I reiterate, the resolution that we have, very unfortunately, not been allowed to offer even as a recommit, because democracy abroad has a much greater appeal to my colleagues than democracy at home. Indeed, apparently, to the Republican Party in the House, democracy is a great spectator sport. They would like to see it in Afghanistan, they would like to see it in Iraq, but they don't want to practice it at home. It's too hard. Members might be able to make a fair choice.

Here is what our resolution says: we are for tracking the terrorists financially. We do not think there should be leaks. The biggest single difference is that we do not subscribe to their automatic praise that says that the White House, the administration, has done everything right. That is the biggest difference.

Now, no one really can say that. The chairman of the Intelligence Committee said the staff was briefed, some of the staff. Well, let's have a mock Congress, bring the staff in here, and let them vote on it. But those of you who weren't in the briefing and haven't talked to the staff, almost everybody, are not entitled to vote to say things that aren't true.

Let me talk about one of the things that I am unsure about. I don't want the terrorists tipped off and if they are being tipped off, we need to know about it. But we don't know that yet. The gentleman from Alabama earlier, Mr. BACHUS; the chairman of the intelligence committee and others have said, well, yes, it's true that the terrorists learned from Bush administration statements that we were tracking their financial activities. But apparently they didn't know that that involved banks. Did they think we were going through their pockets? How can you acknowledge that people knew that they were being tracked financially but, oh, no, it didn't involve bank records.

Now, I don't know what the answer is. But neither do those who are ready to vote to say this caused that problem. I remind the Members, there is a factual statement here that says, it doesn't mention the Washington Times because you want to be nice to them, but it says that the Washington Times in 1998 made a disclosure that made it hard to find Osama bin Laden. That may well not be true. You are going to vote them this. There is this automaticity to your behavior. You are being asked to vote for things that I know most Members over there and over here can't say.

We are not asking you to vote the opposite. We are not saying the program had legal problems. We are not saying it was conducted badly. We are saying, look, and we could have this, we could have 430 votes to say, yes, it's a good thing to track the terrorists and it's a bad thing to leak. Those statements of policy could be made, but they wouldn't give any political advantage. To go beyond that and to turn this into a Bush commercial, to say without any basis that we know that they haven't violated their civil liberty, they haven't done privacy, let me say this. If that is in fact the case, if they have run this program as competently, as efficiently, and with as much respect for individual liberties as you say, then this resolution deserves more attention. Because that is a first. If they really have managed to break the record they have had before, wonderful. But you are taking it as they said on faith.

So let me close by saying once again what I have said in previous situations. We have told the Shiia in Iraq, please show some willingness to work with the minority.

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We have asked in Afghanistan that people work together. We have said, do not be abusive of your majority power. Try to work together. And then the majority here engages in the most outrageous abuse of power you can think of.

I hope that all those watching will remember one important thing, do not try this at home.

Mr. OXLEY. Mr. Speaker, I yield myself the balance of our time.

Mr. Speaker, this has been a lively debate. I just want to state some facts. We are at war. All of the decisions, virtually all of the decisions that have been made since 9/11 have been made in this Congress, the administration, with the express purpose of protecting the American people.

The PATRIOT Act, actions that were urged by the New York Times and other media, were undertaken expressly to protect the American people. And the fact that we have not had a major attack in this country is I think fairly good news and indicates to everybody that the system and what we have done is working.

We all served with Lee Hamilton. He was a great Member, well respected on both sides of the aisle. Lee Hamilton was the co-chairman, along with Governor Kean, of the 9/11 Commission. They testified before numerous committees. They wrote an excellent report.

And that report was critical looking backward on things that we had not done to better protect ourselves. We did not connect the dots. We had a wall between the CIA and the FBI. There were things that could have been done better.

And this was all constructive criticism. And then those gentlemen went out, not only did they testify, but they spoke in public. And they are still very active in that operation.

Why do you think, why do you think that Lee Hamilton asked the New York Times to resist publishing that information? Do you not think that he thought that our Nation was at risk and that that kind of information out in the public would notify al Qaeda and our enemies that we were in grave danger?

Why would somebody with the reputation of a Lee Hamilton or a Governor Kean make that extraordinary effort to try to keep a news organization from publishing that information? That is what this argument is all about. That is what this resolution is all about. This is serious business. This is not politics. This is about the safety of our children and our country.

And we talk about politics all of the time. I am frankly disappointed. Vote for this resolution and let us get on with the business at hand.

The SPEAKER pro tempore. Pursuant to House Resolution 896, the resolution is considered read and the previous question is ordered on the resolution and on the preamble.

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Parliamentary inquiry, Mr. Speaker. Is a motion to recommit in order at this time?

The SPEAKER pro tempore. The gentleman is correct.

Mr. FRANK of Massachusetts. Further parliamentary inquiry. Since we are in the whole House, would it be in order, by unanimous consent, to modify the rule so that the motion to recommit could become a motion with instructions, including the resolution we have alluded to today? Would that be in order to ask for a unanimous consent request?

The SPEAKER pro tempore. By unanimous consent, the House could amend its previous order to admit a motion to recommit with instructions.

Mr. FRANK of Massachusetts. Mr. Speaker, I then ask unanimous consent that our motion to recommit be made a recommit with instructions so our resolution, supported by the overwhelming majority of the Democratic Caucus, could receive a vote on the floor of the House.

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

Mr. OXLEY. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard. The gentleman from Massachusetts?

Mr. FRANK of Massachusetts. Mr. Speaker, I mourn democracy.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to H. Res. 895, the Oxley resolution. I support efforts to identify, track, and pursue suspected foreign terrorists and their financial supporters by tracking terrorist money flows and uncovering terrorist networks. But it does not serve the nation well to condemn the media for performing its watchdog function even in a time of war. Indeed, it is especially important during wartime that the media be even more vigilant and aggressive in informing the public. I do not support the resolution because it encourages the media to become lapdogs who see their role as cheerleaders for the Administration rather than as

watchdogs who exist to safeguard the public interest.

During the 1790s under the Alien and Sedition Acts, and then again during the Civil War and World War I, the government prosecuted journalists. Today, we are again hearing government officials calling for prosecution of journalists who report on the conduct of the global war on terrorism and the war in Iraq and disclose to the American public information which the Administration would rather the American people not know. Some even accuse journalists who do so of treason.

But what these self-styled media critics fail to understand is that the American people have a need for a free press to check the excesses of government, and never more so than today.

Mr. Speaker, the resolution declares, without any proof or evidence, that the House of Representatives ''finds that the Program has been conducted in accordance with all applicable laws, that appropriate safeguards and reviews have been instituted to protect civil liberties, and that Congress has been appropriately informed and consulted and will continue Program oversight.''

This is a major flaw in the resolution. Affirming as fact claims that are not nothing more than unsupported assertions is not persuasive or in the best interest of the Congress and the country. Rather, it is merely argument by ipse dixit. Today the Supreme Court ruled that the Administration overstepped its bounds regarding Guantanamo Bay detainees. Who's to say that the Administration has not overstepped boundaries in the area of domestic spying as well? The fact is we simply do not know. We do not know because this Republican-led Congress has been derelict in its Constitutional duty of oversight.

Mr. Speaker, as a senior member of the Homeland Security Committee, I support efforts to identify and track down terrorists and oppose the leaking of classified information. But I will not play politics with this Nation's security. Nor will I support the majority's trampling on liberty and freedom of the press.

Most disconcerting is the chilling effect this ill-conceived resolution will have on the press. In the words of one of our distinguished founding fathers, George Mason, 'The freedom of the press is one of the greatest bulwarks of liberty, and can never be restrained but by despotic governments.'

I oppose the resolution and urge its defeat.

Mr. STARK. Mr. Speaker, I reject all the ridiculous premises of the resolution: The premise that terrorists would have had no clue that international wire transfers would be subject to monitoring until they read about it in the New York Times; the premise that the media should conceal information leaked by responsible officials who are concerned about the runaway police-state tactics of the Bush Administration; and, the premise that by telling a select few Congressional leaders, the Bush Administration can do whatever it wants, regardless of the lack of constitutional or statutory authority.

When concerns were expressed about the far-reaching powers of the Patriot Act, President Bush said any wiretap would require a court order. He lied. When the National Security Agency's (NSA) warrantless wiretapping program was revealed, he said we should trust him to use the program judiciously. When we learned that the NSA also collects millions of domestic telephone records, the President said it wasn't what it seemed. Now, we add financial records to the list, and his only response is to criticize the messenger. What will it take for the do-nothing Republican Congress to start standing up for the Constitution, or at least the prerogatives of the Legislative Branch?

If this Congress spent half as much time doing oversight as it did criticizing those who dare question their government, we wouldn't have to find out what our government is doing on the front page of the New York Times. But given that no lie, no unlawful program, no petulant signing statement is too much for the Bush toadies, I salute the Times and other media outlets for their occasional bravery and for maintaining some semblance of accountability in government.

Mr. SHERMAN. Mr. Speaker, I am proud to cosponsor H. Res. 900, offered by Ranking Member BARNEY FRANK, which provides that the House of Representatives supports efforts to track terrorist financing and their financial supporters by tracking terrorist money flows and by uncovering terrorist networks, both here and abroad, in accordance with existing applicable law.

The Frank resolution also expresses concerns that unauthorized disclosure of classified information may have made efforts to locate terrorists and terrorist networks and to disrupt their plans more difficult. It does not include controversial whereas clauses or findings that cannot be verified. The Rules Committee should have allowed this resolution to come before the House for a vote.

I am unable to sponsor H. Res. 895, which Financial Services Committee Chairman MICHAEL G. OXLEY introduced yesterday afternoon, because his resolution contains a number of statements that simply cannot be factually confirmed at this time. There has been no fact finding, no oversight, no hearings whatsoever by any Committee of the House to even try to establish whether or not the partisan findings contained in H. Res. 895 are accurate.

The only way that these issues can be developed properly is through hearings, classified hearings where required, before the committees of jurisdiction, the House Financial Services Committee and/or the House Intelligence Committee. Matters that are highly classified can be dealt with by the Intelligence Committee.

Mr. SPRATT. Mr. Speaker, had it been my decision, I would not have released a report on the Terrorist Finance Tracking Program, and I co-sponsored H. Res. 900 to register my disapproval. For no good reason, H. Res. 900 was not made in order as a substitute amendment.

I have reluctantly decided not to vote for H. Res. 895 for the following reasons. H.R. 895 was written exclusively by Republicans, with no Democratic input, no committee hearings, and no committee mark-up. The resolution was rushed to the floor shortly after being filed under a rule that prohibits amendments of any kind, for one hour's debate, and then a vote up or down. I agree with much of the resolution. I wholeheartedly support ''efforts to identify, track, and pursue suspected foreign terrorists and their financial supporters by tracking money flows and by uncovering terrorists networks here and abroad.''

I have not been briefed on the program, however, and I am no position to find ''that the Terrorist Finance Tracking Program has been conducted in accordance with applicable laws, regulations and Executive Orders, and that appropriate safeguards and reviews have been instituted to protect individual civil liberties, and that Congress has been appropriately informed and consulted for the duration of the Program and will continue its oversight of the Program.'' I hope that is the case, but I have no basis on which to make such a judgment, and I do not think that Members of Congress should hold out such a conclusion if we cannot support it.

Mr. HOLT. Mr. Speaker, I rise today in opposition to this partisan and ill-considered resolution. This resolution will do absolutely nothing to stop leaks. It's just another cheap, hypocritical political stunt.

My colleagues should know that only last month, the House Permanent Select Committee on Intelligence held an open hearing on the very issue of the media's role in leaks. What many of us observed at that hearing is that there are at least two contributing factors to leaks to the media. One of those is the use of the classification system to conceal improper, even potentially criminal, conduct by executive branch officials.

One example of this was the original report by General Taguba on the Abu Ghraib abuse investigation. It was originally classified SECRET/NOFORN but ultimately declassified in its entirety when the images of prisoner abuse appeared in the media. To the best of my knowledge, the House Intelligence Committee has never investigated why that report—which detailed criminal behavior by American military personnel—was classified in the first place. What I do know is that we in the Congress must never allow the classification system to be used to conceal criminal conduct—which brings me to the second factor contributing to leaks of classified information to the media: the refusal of this Congress to take its oversight responsibilities seriously.

As I've said before, this Congress doesn't exactly put out a welcome mat for those executive branch employees who seek to report misconduct or illegal activity by their agencies. If you don't believe me, just look at the status of the only bill before Congress right now that would actually offer some modest protections for national security whistleblowers.

H.R. 1317, Federal Employee Protection of Disclosures Act, was offered by my colleague, the gentleman from Pennsylvania (Mr. PLATT), last year. This bill would clarify which disclosures of information are protected from prohibited personnel practices, and require that nondisclosure policies, forms, and agreements conform to certain disclosure protections. Last September, this bipartisan bill was reported favorably by the House Government Reform committee on a vote of 34–1, yet the Rules committee has refused to allow this bill to come to the floor for a vote on at least three occasions.

This resolution shoots the messenger. A more useful approach would address the problems of overclassification, the lack of oversight, and whistleblower protections. If you want to stop leaks, if you want to ensure that classified information doesn't appear in the press, then give executive branch employees who have concerns about their agency's conduct a place to go with their concerns without fear of retaliation so that we can do our job: oversight of the executive branch. I urge my colleagues to vote no on this resolution.

Mr. PAUL. Mr. Speaker, I am not sure that the federal government's program examine records of international financial transactions collected by the Society for Worldwide Interbank Financial Telecommunications (SWIFT) is worth all the sound and fury that has surrounded the program since its existence was revealed last week. For one thing, this program appears to threaten civil liberties less than the already widely known ''Know Your Customer'' program or the requirement that American financial institutions file suspicious activity reports whenever a transaction's value exceeds $10,000. However, the program's defenders should consider the likelihood that having federal bureaucrats wade through mountains of SWIFT-generated data will prove as ineffective in protecting the American people as other government programs that rely on sifting through mountains of financial data in hopes of identifying ''suspicious transactions.''

According to investigative journalist James Bovard, writing in the Baltimore Sun on June 28, ''[a] U.N. report on terrorist financing released in May 2002 noted that a 'suspicious transaction report' had been filed with the U.S. government over a $69,985 wire transfer that Mohamed Atta, leader of the hijackers, received from the United Arab Emirates. The report noted that 'this particular transaction was not noticed quickly enough because the report was just one of a very large number and was not distinguishable from those related to other financial crimes.' '' Congress should be skeptical, to say the least, that giving federal bureaucrats even more data to sift through will make the American people safer.

Congress should examine all government programs that monitor the financial transactions of American citizens to ensure they are effective and they do not violate the rights of Americans. Unfortunately, many of my colleagues are attacking newspapers that inform the American people about government surveillance on the grounds that revealing that the federal government is monitoring financial transactions somehow damages national security. It is odd to claim that, until last Friday, neither the American people nor America's enemies had any idea that the government is engaging in massive surveillance of financial transactions, since the government has been openly operating major financial surveillance programs since the 1970s and both the administration and Congress have repeatedly discussed increasing the government's power to monitor financial transactions. In fact, such an expansion of the government's ability to spy on Americans' banking activites was a major part of the PATRIOT Act.

Congress should be leery of criticizing media reporting on government activity. Attacking the media for revealing information about government surveillance of American citizens may make reporters reluctant to aggressively pursue stories that may embarrass the government. A reluctance by the media to ''embarrass the state'' will make it easier for the federal government to get away with violating the people's rights. Media reports on government surveillance and other security programs can help Congress and the Americans people ensure the government's actions effectively protect Americans' security without infringing on basic constitutional liberties. I therefore urge my colleagues to reject this resolution.

Mr. UDALL of Colorado. Mr. Speaker, I object to—and voted against—the restrictions the Republican leadership has imposed on our consideration of this resolution.

Those restrictions made it impossible for the House to even consider changes to this resolution, including parts to which I must take strong exception.

I do agree with some parts of the resolution.

For example, I agree that ''the United States is currently engaged in a global war on terrorism to prevent future attacks against American civilian and military interests at home and abroad.''

Furthermore, I agree that the House of Representatives ''supports efforts to identify, track, and pursue suspected foreign terrorists and their financial supporters by tracking terrorist money flows and uncovering terrorist networks here and abroad, including through the use of the Terrorist Finance Tracking Program.''

And, I do support making clear that the House ''condemns the unauthorized disclosure of classified information by those persons responsible and expresses concern that the disclosure may endanger the lives of American citizens, including members of the Armed Forces, as well as individuals and organizations that support United States efforts.''

But, like most Members of Congress, I cannot of my own knowledge say it is true that, as the resolution states, the tracking program that is the subject of the resolution ''only reviews information as part of specific terrorism investigations and based on intelligence that leads to targeted searches,'' or that the program ''is firmly rooted in sound legal authority'' or that it ''consists of the appropriate and limited use of transaction information while maintaining respect for individual privacy,'' or that it ''has rigorous safeguards and protocols to protect privacy.''

In fact, to paraphrase Will Rogers, most of us—Members of Congress as well as members of the public at large—know about this only what we have read in the newspapers or heard over the airwaves.

So, it is ironic, to say the least, that so many are so ready to describe and praise the program's details and at the same time condemn those who told us about those details.

In short, I think the resolution should not be adopted at this time because its conclusions are based too much merely on the assertion of claims for which no solid evidence has been presented. For that reason, I will vote against it.

Mr. NADLER. Mr. Speaker, today we see how a great Nation loses its freedom.

This resolution seeks to chill free speech by punishing the New York Times and other publications for doing their job. That is unacceptable and, frankly, beneath the dignity of the United States Congress. All of us here took an oath to support and defend the Constitution. Yet those pushing this resolution seek to do just the opposite: to batter the Constitution's most hallowed pillar, the right of free speech and a free press.

Rampant lawbreaking by the Government, secrecy and selective leaks of classified information to cover up that illegality, and threats of retaliation and prosecution against anyone who dares to tell the truth.

How has the Republican Congress responded? Have they lived up to their responsibility to get to the truth? To subpoena administration officials or records? To hold anyone accountable?

No. The lapdog Republican Congress has worked hand and glove with the Karl Rove White House to cover up the administration's lies and crimes. The Republican Congress, with the chorus of cooperating media, has helped the administration retaliate against anyone who challenges them or tries to tell the American people the truth.

Does Osama bin Laden know that we had tapped into his phone lines? Of course. The administration leaked it to the Washington Times which published it. Any outrage here? No.

Did the White House leak the name of a CIA agent to friendly reporters to retaliate against a critic? Yes. Did the President promise to fire anyone who leaked? Yes. Now that we know it was the Vice President and Karl Rove, did the President make good on his promise? Of course not.

Does anyone here really think that Osama bin Laden didn't assume we were tracking bank transactions? Administration officials have testified before Congress that they did, and, for those members who read bills before they vote, we required the administration to do just this in the PATRIOT Act. Not a big secret.

Do you really think the terrorists didn't know we would be tapping their phones? The only people who were kept in the dark were the American people who were never told that their privacy was illegally being invaded by the government. Bin Laden doesn't care if the government gets a warrant, but law abiding citizens should and they have a right to know that, even if the President tries to cover it up.

If the President breaks the law and covers it up, if the Congress refuses to get the truth and joins the cover-up, then the free press is the only guardian of truth and democracy. That is why Thomas Jefferson said he would prefer a free press without a government to a government without a free press.

Free speech and a free press are what keep a Nation free.

Is it espionage to tell the American people that the President is breaking the law? Is it treason to report the truth? Of course not. It is the duty of a free press to tell the truth especially when people in power would prefer that the American people be kept in the dark.

Think of the thousands of young people who might still be alive if the press had more carefully scrutinized the lies and distortions used to lead this Nation to war in Iraq. Would we know about the illegal use of torture if the press hadn't uncovered it? Would we know that the government was spying on innocent citizens without a warrant?

No President should be able to cover up his wrongdoing just by declaring it ''secret.'' That is what some here are suggesting. We are a great and free Nation because the Government can't put you in jail simply for telling the truth, and the Government can't use its prisons to cover up its crimes.

A lawless President cannot hide behind the law. A cover-up Congress cannot complain if the truth gets out.

What sort of countries prosecute journalists? What sort of country hates free speech? Countries whose governments fear the truth. Stalin locked up journalists. So does China. Free nations do not. As Justice Brandeis wrote, ''Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants.''

Once again, the administration and its apologists tell us that this activity was legal

and the leak helps the terrorists. How do we know this? Because they say so and tell us to trust them.

After six years of lies and cover-ups, of law breaking and leaking, this administration and the Republican Congress cannot be trusted.

Let's get the facts. I haven't seen them, and I don't think the members who will be voting today have either. We only know what we read in the papers.

The American people deserve better from their representatives. They deserve and demand the truth. Thank G-d we have a free press. Thank G-d we are still a free people. If the Republican Congress is afraid to get to the truth, someone else will have to do it for them. For now, we have a free press. Perhaps next year we will have a Congress willing to assume its constitutional duties now abandoned by the lap-dog Republican Congress.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. OXLEY. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

## DEEP OCEAN ENERGY RESOURCES ACT OF 2006

The SPEAKER pro tempore. Pursuant to House Resolution 897 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4761.

□ 1835

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4761) to provide for exploration, development, and production activities for mineral resources on the outer Continental Shelf, and for other purposes, with Mr. GINGREY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 5 printed in House Report 109–540 offered by the gentleman from Florida (Mr. BILIRAKIS) had been postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 4 by Mr. MARKEY of Massachusetts.

Amendment No. 5 by Mr. BILIRAKIS of Florida.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

AMENDMENT NO. 4 OFFERED BY MARKEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 249, not voting 13, as follows:

[Roll No. 354]

AYES—170

Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bass
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boehlert
Bradley (NH)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Costello
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Dingell
Doggett
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Foley
Frank (MA)
Frelinghuysen
Gilchrest
Gordon
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (CT)
Johnson (IL)
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kirk
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Petri
Price (NC)
Rahall
Ramstad
Rangel
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Stupak
Tauscher
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOES—249

Abercrombie
Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Everett
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson, E. B.
Jones (NC)
Keller
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHugh
McKeon
McMorris
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skelton
Smith (TX)
Smith (WA)
Sodrel
Souder
Stearns
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Bishop (UT)
Cannon
Dicks
Evans
Fitzpatrick (PA)
Ford
Gerlach
Johnson, Sam
Kanjorski
Marshall
McHenry
Pelosi
Sherwood

□ 1857

Ms. EDDIE BERNICE JOHNSON of Texas changed her vote from ''aye'' to ''no.''

Messrs. CLEAVER, RAHALL, FATTAH, Ms. MOORE of Wisconsin and Ms. DeGETTE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. BILIRAKIS

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the

gentleman from Florida (Mr. BILIRAKIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 65, noes 353, not voting 14, as follows:

[Roll No. 355]

AYES—65

Barrow
Bartlett (MD)
Bass
Berkley
Berman
Berry
Bilirakis
Bono
Boyd
Bradley (NH)
Brown-Waite, Ginny
Butterfield
Campbell (CA)
Cardoza
Conyers
Crenshaw
Crowley
Davis (FL)
DeFazio
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Doyle
Ehlers
Feeney
Foley
Fossella
Gilchrest
Grijalva
Gutierrez
Harris
Higgins
Inglis (SC)
Issa
Jones (NC)
Kaptur
Keller
LaHood
LaTourette
Mack
McIntyre
McKinney
Miller (FL)
Obey
Pastor
Petri
Putnam
Ros-Lehtinen
Shaw
Smith (WA)
Snyder
Spratt
Stearns
Strickland
Stupak
Sweeney
Tanner
Visclosky
Wasserman Schultz
Watt
Waxman
Wexler
Wu
Young (AK)
Young (FL)

NOES—353

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barton (TX)
Bean
Beauprez
Becerra
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardin
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLauro
Dent
Dingell
Doggett
Doolittle
Drake
Dreier
Duncan
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Flake
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Sodrel
Solis
Souder
Stark
Sullivan
Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Walden (OR)
Walsh
Wamp
Waters
Watson
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wynn

NOT VOTING—14

Bishop (UT)
Cannon
Carson
Dicks
Evans
Fitzpatrick (PA)
Ford
Gerlach
Johnson, Sam
Kanjorski
Marshall
McHenry
Rush
Sherwood

□ 1904

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GENE GREEN of Texas. Mr. Chairman, on rollcall No. 355, had I been present, I would have voted "no."

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. GINGREY, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4761) to provide for exploration, development, and production activities for mineral resources on the outer Continental Shelf, and for other purposes, pursuant to House Resolution 897, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed 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.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. RAHALL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage of H.R. 4761 will be followed by a 5-minute vote on adoption of House Resolution 895.

The vote was taken by electronic device, and there were—ayes 232, noes 187, not voting 13, as follows:

[Roll No. 356]

AYES—232

Abercrombie
Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Barton (TX)
Beauprez
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costa
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Everett
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Gutknecht
Hall
Hart
Hastings (WA)
Hayes

Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson, E. B.
Jones (NC)
Keller
Kennedy (MN)
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skelton
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—187

Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bartlett (MD)
Bass
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boehlert
Bono
Bradley (NH)
Brown (OH)
Brown, Corrine
Butterfield
Campbell (CA)
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
DeGette
Delahunt
DeLauro
Dingell
Doggett
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Foley
Frank (MA)
Frelinghuysen
Gilchrest
Gordon
Grijalva
Gutierrez
Harman
Harris
Hastings (FL)
Higgins
Hinchey
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (CT)
Johnson (IL)
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kirk
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Mack
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NOT VOTING—13

Bishop (UT)
Cannon
Dicks
Evans
Fitzpatrick (PA)
Ford
Gerlach
Green, Gene
Johnson, Sam
Kanjorski
McHenry
Rush
Sherwood

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1921

Mr. MEEKS of New York changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GENE GREEN of Texas. Mr. Chairman, on rollcall No. 356, had I been present, I would have voted "yes."

## SUPPORTING INTELLIGENCE AND LAW ENFORCEMENT PROGRAMS TO TRACK TERRORISTS AND TERRORIST FINANCES

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 895, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 227, nays 183, not voting 22, as follows:

[Roll No. 357]

YEAS—227

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

NAYS—183

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bartlett (MD)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Garrett (NJ)
Gonzalez
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Manzullo
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta

Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—22

Bishop (UT)
Blumenauer
Bonner
Boyd
Cannon
Davis (TN)
Dicks
Evans
Everett
Fitzpatrick (PA)
Ford
Gerlach
Green, Gene
Johnson, Sam
Jones (OH)
Kanjorski
McHenry
Moran (KS)
Osborne
Rogers (AL)
Rush
Sherwood

□ 1927

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 357, had I been present, I would have voted "no."

## APPOINTMENT OF HON. FRANK R. WOLF AND HON. TOM DAVIS TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH JULY 10, 2006

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

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
*Washington, DC, June 29, 2006.*

I hereby appoint the Honorable FRANK R. WOLF and the Honorable TOM DAVIS to act as Speaker pro tempore to sign enrolled bills and joint resolutions through July 10, 2006.

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

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

There was no objection.

## RESIGNATION AS MEMBER OF COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Armed Services:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, June 29, 2006.*

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

DEAR MR. SPEAKER: This letter is to advise you that, effective today, I am resigning my seat on the House Committee on Armed Services.

Thank you for your attention to this matter.

Sincerely,
HOWARD P. "BUCK" MCKEON,
*Member of Congress.*

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

□ 1930

## ELECTION OF MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. PRICE of Georgia. Mr. Speaker, I offer a resolution (H. Res. 902) and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 902

*Resolved*, that the following Member be and is hereby elected to the following standing committees of the House of Representatives:

Committee on Armed Services: Mr. Bilbray.

Committee on Government Reform: Mr. Bilbray.

Committee on Veterans' Affairs: Mr. Bilbray.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. HOLT. Mr. Speaker, last night and earlier today I was in New Jersey, where thousands of my constituents have been affected by serious flooding, and I was absent on some rollcall votes. I missed rollcall vote 340. Had I been present, I would have voted "no."

On rollcall 341, had I been present, I would have voted "yes."

On 342, had I been present, I would have voted "no."

On 343, had I been present, I would have voted "no."

On roll call vote 344, had I been present, I would have voted "yes."

On roll call vote 345, had I been present, I would have voted "no."

On roll call vote 346, had I been present, I would have voted "yes."

On 347, I would have voted "no."

On 348, I would have voted "no."

And had I been present on rollcall 349, I would have voted "yes."

## CONDITIONAL ADJOURNMENT TO MONDAY, JULY 3, 2006

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that when the House adjourns today pursuant to this order, it adjourn to meet at noon on Monday, July 3, 2006, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 440, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

There was no objection.

## DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY, JULY 12, 2006

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday, July 12, 2006.

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

There was no objection.

## PERMISSION FOR COMMITTEE ON FINANCIAL SERVICES TO HAVE UNTIL NOON, JULY 7, 2006, TO FILE REPORT ON H.R. 2990, CREDIT RATING AGENCY DUOPOLY RELIEF ACT OF 2005

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Financial Services have until noon on Friday, July 7, 2006, to file a report on H.R. 2990.

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

There was no objection.

## AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 4761, DEEP OCEAN ENERGY RESOURCES ACT OF 2006

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 4761, including corrections in spelling, punctuation, section numbering, and cross-referencing and the insertion of appropriate headings.

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

There was no objection.

## RECOGNIZING MRS. FRANCIS MARY MCHIE RAINS

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

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise today to recognize the life and distinguished career of Francis Mary McHie Rains for her important contributions to society, especially women and African Americans. Ms. McHie Rains, the eldest of three children, was born to John and Hermina McHie in Minneapolis, Minnesota on January 29, 1911. After high school she attempted to enroll at the University of Minnesota School of Nursing, but she was denied admission because of her color. Ms. McHie Rains successfully petitioned the legislature to become one of the first African-American women to be accepted to the school and she graduated in 1932.

Ms. McHie Rains was a pioneer. She became the first African American employed at two major Midwestern hospitals before serving as assistant to the director of the School of Nursing at Meharry Medical College in Nashville where she met her future husband, Dr. Horace Rains. The couple married and

had two children before moving to California, where they established a family medical practice in my district of Long Beach.

In 1953 Mrs. Rains became the first African American woman to teach at the School of Nursing for the University of Southern California's general hospital.

Mrs. Rains also served as a board member of the Long Beach Children's Psychiatric Clinic, the National Council of Negro Women, and the NAACP.

She was an involved member of Grant AME Church for nearly 50 years, as well as a Sunday school teacher.

During her retirement, she served as the Chair of the Long Beach Community Improvement League.

Mrs. Francis Mary McHie Rains passed away on May 21, 2006 at the age of 95 in Long Beach, California. I proudly recognize Francis Mary McHie Rains, a woman whose faith, wisdom and courage became her legacy.

I rise today to recognize the long and distinguished career of Francis Mary McHie Rains for her important contributions to society, especially women and African Americans. Mrs. McHie Rains, the eldest of 3 children was born to John and Hermina McHie in Minneapolis, Minnesota, on January 29, 1911. After high school, she attempted to enroll at the University of Minnesota's School of Nursing, but she was denied admission because of her color. With the help of a State Senator and a local African-American activist and businesswoman, Mrs. McHie Rains successfully petitioned the legislature to become one of the first African-American women to be accepted to the University of Minnesota's School of Nursing and the first African American to graduate from the university in 1932.

Mrs. McHie Rains was a pioneer, as a young professional she became the first African American employed at the Minneapolis General Hospital where she served as a superior, and at the Herman Keifer Hospital in Detroit, Michigan where she was one of the 12 women who broke the color barrier at the hospital. While serving as Associate Professor and assistant to the Director of the School of Nursing at Meharry Medical College, Nashville, Tennessee, she met her future husband, Dr. Horace Rains. The couple married and had 2 children. They later moved to southern California where together they established a family medical practice in Long Beach.

In 1953, Mrs. Rains became the first African American woman to teach at the School of Nursing for the University of Southern California General Hospital in Los Angeles, and later became a real estate broker in 1972 and was the owner of a Century 21 franchise. Mrs. Rains served diligently as board member of the Long Beach Children's Psychiatric Clinic, the National Council of Negro Women, and the National Association for the Advancement of Colored People, NAACP. She was an involved and long time member of Grant AME Church for nearly 50 years, as well as a Sunday school teacher. During her retirement she served as a Chair of the Board of the Long Beach Community Improvement League.

Mrs. Francis Mary McHie Rains passed away on May 21, 2006 at the age of 95 at Windsor Gardens Convalescent Center of Long Beach, California. She leaves to cherish her memory one son, Anthony J. Rains, M.D. of Renton, Washington; a daughter, Kimberly Kerns of Houston, Texas; and 2 grandchildren; one great-grandson; and a host of relatives and friends.

Mrs. Rains was a woman of many firsts; she was a trailblazer and loyal servant. Those who knew and loved her will always remember her dedication to excellence and progress in her community, and as loyal and dedicated constituent of my district, I am very proud to be able to remember and celebrate her life as a part of my community.

I join with her children, family and friends in tribute to this good and faithful servant who has gone home, leaving us to humbly acknowledge the living legacy of a great educator, mentor and abundant love evident in the lives of all those she has touched. I proudly recognize Francis Mary McHie Rains, a woman of faith, courage, dedication, persistence, understanding and wisdom, for her career accomplishments over a span of 70 years as a pioneer and her contributions of service in caring for the people of our community, our Nation and the world.

## HONORING THE LIFE OF J.E. DUNLAP

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

Mr. BOOZMAN. Mr. Speaker, I rise today to honor the life the J.E. Dunlap who passed away yesterday morning. J.E. was an icon in the community of Harrison, Arkansas. As a young ambitious teenager, he was hired as a stringer for the statewide newspaper. After seeing action in World War II, J.E. returned to Harrison where he spent 50 years running the city's daily newspaper. J.E. was an accomplished newsman who won numerous accolades during his career, including two nominations for the Pulitzer Prize. A man of character and integrity, J.E. was always a fair newsman, but also one who was not afraid to tell you what was really on his mind. His energy level, enthusiasm and commitment to his community remained with him throughout his life. After retiring from the day-to-day management of the paper, J.E. continued to write three columns a week. That dedication earned him Arkansas' Older Worker of the Year Award in 2002.

Mr. Speaker, the people of Harrison will greatly miss J.E. His work ethic and devotion to community truly is representative of the Greatest Generation. The weekday coffee klatch at Coffee and More won't be the same without him.

## LONE STAR VOICE—DOB CUNNINGHAM, ROUND II

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

Mr. POE. Mr. Speaker, Americans who live on the border are victimized by criminal invaders every day and they are fed up with it. They are tired of a weak immigration policy, but even more sick and tired of the Mexican Government trying to control American soil.

C.E. Dob Cunningham of Eagle Pass, Texas, has every right to be fed up, especially after receiving this letter from the Mexican Consulate in Mexico. It says: As an owner or occupant of property susceptible of crossings and breakins by Mexican migrant workers, the consulate of Mexico is deeply concerned about this issue and the security of lives of migrant workers. We strongly recommend you do not take any measures into your own hands. Please be aware that it may have legal implications for yourself and the owners of these properties which may end up in expensive lawsuits and cumbersome court hearings.

Mr. Cunningham wrote back a few words and then wrote them back a second time and said, if your letter was intended to scare or intimidate us, it didn't work. Until the illegal alien problem is solved, we will continue to patrol our ranch to protect our property, our family and our freedom. C.E. Cunningham, proud American.

Let's send a message to Generalissimo Fox: we will not be scared or intimidated. In fact, Americans should sue Mexico and make Fox pay reparations for the damage his illegals do to American property by invading our country.

And that's just the way it is.

## FAIR TAX—A FAIR SOLUTION

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

Mr. PRICE of Georgia. Mr. Speaker, I rise today to remind my colleagues what most Americans know all too well and that is that our tax system is broken. Many would say it is broken beyond repair. Our Tax Code contains over 50,000 pages of confusing, contradictory, inconsistent, and intimidating regulations. Filing a tax return often takes months of preparation and Americans spend billions of dollars getting expert assistance just filling out the forms.

But there is a solution, the FairTax. A national retail sales tax would provide common sense to the current mess. The FairTax would simplify the process and allow individuals to keep all of their hard-earned pay check and determine for themselves when they save or they spend or they invest their money. It would encourage investments, spur economic growth, and be less regressive than our current system. For far too often we have chosen to try and fix problems with our Tax Code by adding to it. It is time to start over. It is time to remove the redundancy of the Tax Code. Tear out those unneeded pages and adopt a fair plan. I urge my colleagues to support H.R. 25 and deliver smart and fair tax policy for the American people.

## COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore (Mr. PRICE of Georgia) laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,
*Washington, DC., June 29, 2006.*

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

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

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

JAMES M. EAGEN, III,
*Chief Administrative Officer.*

## SPECIAL ORDERS

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

## A TRIBUTE TO PHILIP MERRILL

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

Mr. HOYER. Mr. Speaker, I rise today with a heavy heart to pay tribute to my good friend, the late Philip Merrill, who passed away earlier this month. And I rise as well to celebrate the life of a colorful and accomplished man and to say to his grieving family, his wife Eleanor, known to all of us as Ellie, his son Doug, his daughters Cathy and Nancy, his sister Suzanne and his four grandchildren, and to his other loved ones as well as his countless friends, that he will never be forgotten by Marylanders and by all those whose lives he touched.

He was a man of immense and innumerable talents. Phil worked literally all over the world. He served as counselor to the Under Secretary of Defense as a member of the Defense Policy Board at the Defense Department from 1983 to 1990, as Assistant Secretary General to NATO from 1990 to 1992, and most recently, as president and chairman of the Export-Import Bank of the United States from 2002 until last year.

In all, Phil served in six administrations. That impressive resume alone would be enough for most people to hang their hat on. Yet for Phil Merrill it is only half of his story. It was in his beloved home State of Maryland, particularly in southern Maryland, where he left his greatest mark and improved and enriched the lives of all of us who live in the region. Indeed, he was a presence in the Washington metropolitan area and in Washington itself.

Mr. Speaker, I trust that you are familiar with the Washingtonian magazine, a publication owned by the Merrills. The Washingtonian was only a part of his vast publication business. Yet, I think that in this magazine we can truly see an imprint of Phil's spirit and the way that he approached life.

Washington is a diverse city, a place where many, maybe even most, of those who live here come from other parts of the country. And because of that, the Washington area is extraordinarily diverse in background and experience and taste and opinion and in world views. Yet, those of us who spend so much time in this city, Mr. Speaker, usually end up too often becoming too consumed by the work that we are doing and the issues that we care about to fully appreciate and to truly enjoy the unique culture that exists here.

That is where the Washingtonian magazine steps in. It was designed to encourage people to step back for just a moment and to take in the immense natural beauty and cultural offerings of this historic city. That is just what Phil Merrill did for the people around him. He inspired others to see that there actually is time in a busy life to do things like enjoy the outdoors. In his case, it was sailing and skiing and spending time with his beloved family that he so dearly loved for so long.

The other facet of Phil's publishing business was Capitol Gazette Communications, comprised of five local papers and the Capitol, Annapolis' hometown paper. As the New York Times recently reported, Mr. Merrill bought the paper as a moribund afternoon daily in 1968 and built its circulation from 13,000 to 47,000. It goes without saying, Mr. Speaker, that the Capitol and the other newspapers in the Capitol Gazette Communications chain are a vital part of the daily lives of many of us and of my own constituents. They help unite our community.

□ 1945

Finally, Mr. Speaker, let me say that Phil Merrill, publisher, successful businessman, diplomat, also will long be remembered as one of the most generous philanthropists of the Washington metropolitan area. During his life, Phil contributed tens of millions of dollars to his favorite causes, including the Chesapeake Bay Foundation, designed to restore and keep clean his beloved Chesapeake Bay, and the University of Maryland, for whom we shared a great love and commitment. He committed many dollars to the College of Journalism, one of the best now in the Nation. In addition, he contributed generously to the Johns Hopkins University's Paul H. Nitze School of Advanced International Studies.

Mr. Speaker, Phil Merrill was a giant. I attended his memorial service, and there were clearly well over 1,000 people in attendance. He was a man who thrived on living each hour of each day to the fullest. His pioneering spirit, his dedication to this country, and, above all, his unwavering love of family and loyalty to friends serve as a model for all of us to live by.

Phil Merrill will be missed, but he will not be forgotten.

## STAFF SERGEANT BEN WILLIAMS, TEXAS MARINE

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

Mr. POE. Mr. Speaker, as we are approaching the 4th of July, it was 230 years ago, this signing of the Declaration of Independence.

But it wasn't until after the War of 1812 this holiday became more meaningful to Americans. It was after our young Nation had to whip the British a second time and yet again fight for our Nation's freedom. That is when Americans recognized why we should remain and remember our Nation, our struggle, and all we stand for.

On the 50th anniversary of the signing of the Declaration of Independence, Thomas Jefferson, the author of the document, was asked to speak at a celebration about it. He was lying on his deathbed, so he answered the call with this note:

> May it, the Declaration of Independence, be to the world, what I believe it will be. The signal of arousing men to burst the chains and assume the blessings and security of self-government.
>
> For ourselves, let the annual return of this day forever refresh our recollections of these basic rights, and an undiminished devotion to all of them.

Mr. Speaker, today I present to you a portrait of the devotion of a person to that Declaration of Independence. His name was Staff Sergeant Benjamin DeWayne Williams, United States Marine. I have here a photograph of him in his combat attire in Iraq. This was the way he looked shortly before he was killed. He was a true patriot.

He was from Orange, Texas, and on his third and last deployment. He was set to return home on August 15. He had plans to surprise his mother. But before that could happen, he was killed on June 20 fighting the enemy forces in Al Anbar, Iraq.

Ben Williams was 30 years of age. His friends said he loved being a Marine. He went to Little Cypress Mauriceville High School and played football, and as soon as he graduated from high school, he joined the United States Marine Corps.

He was a staff sergeant in the Marines and an infantry unit leader assigned to the First Battalion, First Marine Regiment, First Marine Division of the First Marine Expeditionary Force at Camp Pendleton, California. Ben's grandmother Carson Williams called him ''Bubba'' and said, ''Bubba died doing what he loved to do, and that was being a soldier.''

His sacrifice gives true meaning to the Vietnam era phrase ''All gave some . . . Some gave all.''

Mr. Speaker, President Ronald Reagan was correct when he said that ''Men cry 'peace, peace,' but there can be no peace as long as there is some American somewhere dying for the rest of us.''

Sergeant Williams was one of those Americans. He gave all, dying for the rest of us. It was his devotion that thrust him into battle with his eyes wide open. He knew that there was a chance he wouldn't come home. He told his sister that he was fighting for her so that she could enjoy freedom. His level of devotion meant giving himself after giving his all. His life is the cost of freedom, a freedom and an expense that he embraced proudly.

Every member of the military we remember here on the House floor is described in those remarks as someone who loved his country, a soldier to the bone who believed in what they were doing. And that is tracking terrorists and ripping those terrorists from their roots so people around the world would know the blessings of liberty and the security of self-government that Thomas Jefferson wrote about in the Declaration of Independence.

We call ourselves patriots, but few of us have the scars to prove it. Few have the courage to face and embrace the darkest unknown, the possibility of not going home.

These few, these volunteers, are a rich testament to the courage they have in their hearts. Now and always we must remember their sacrifice, our men and women who fight, so we can look in the blue skies of liberty and remember them with the flying of every star and every stripe.

So this 4th of July, we remember all of those who served, all of them that gave some and those that gave all.

So Semper Fi, Ben Williams. Semper Fi.

And that's just the way it is.

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

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

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## VOTING RIGHTS ACT REAUTHORIZATION

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

The SPEAKER pro tempore. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. SCHIFF. Mr. Speaker, last week, the Republican leadership decided to pull the Voting Rights Act Reauthorization legislation from the floor. Debate on this historic civil rights statute had been scheduled for last Wednesday afternoon, and just hours before it was to start, the bill was withdrawn from consideration.

As a cosponsor of this important bill, I am deeply troubled by the majority leadership's willingness to allow extreme members of their party to hijack reauthorization of the Voting Rights Act, a law that has protected minority voters from intimidation and discrimination for 40 years. It was an act unbefitting a party that calls itself the ''Party of Lincoln.''

The original Voting Rights Act reinforced the Constitution's 15th amendment guarantee that race cannot be a bar to any citizen's right to vote. Although the 15th amendment was ratified in 1870, it took nearly 100 years for Congress to give it teeth with the Voting Rights Act. Until then, the rights of millions of Americans to vote was nullified by poll taxes, literacy tests, voter intimidation, and outright violence. Only in 1965, with the passage of the Voting Rights Act, were African Americans finally able to exercise the right to vote. But the path to this legislation was by no means easy.

On March 7, 1965, what has become known as Bloody Sunday, 600 civil rights marchers peacefully protested for the right to vote. Upon reaching the Edmund Pettus Bridge in Selma, Alabama, the marchers were attacked by State and local police, who teargassed them and beat them with batons.

Three years ago, in commemoration of the struggle for civil rights, I joined a pilgrimage led by my colleague Congressman JOHN LEWIS through many of the sites that were part of the fight for true equality here in America. We visited the Edmund Pettus Bridge, and on the wall of my office is a picture of the delegation, black, white, Asian and Latino, standing together in celebration of the sacrifices of those who marched there.

Standing there then and reflecting on the experience now, it is impossible to miss the transcendent importance of the unfettered right to vote. It was powerful enough then to garner the hatred of a mob of segregationists, and it inspires us now to continue to fight for reauthorization of the legislation and the full protections of our sacred franchise. I welcome a debate over the continuing vitality of the Voting Rights Act, but I deplore the delay which the Republican leadership's decision to pull the bill has occasioned.

In the decades since President Lyndon Johnson signed the Voting Rights Act into law, racial discrimination is still far too prevalent a feature of elections across the Nation from California to Florida. It is very true that significant progress has been made in the past 41 years since the VRA was first passed, and minority voters have a much greater voice in the political process today because of the Voting Rights Act. Despite that, after every election, we still hear stories of voter discrimination and intimidation, and we are reminded that this legislation remains important today, and we cannot let the provisions of the VRA expire.

These expiring provisions, preclearance of election law changes for jurisdictions with a history of discrimination, Federal observers at polls, and language assistance for limited English speakers, are still needed to ensure minority voting rights. It is evident to those from my State of California just how critical, for example, language assistance is for those with limited English skills.

We do not make our elections easy on voters. In a State where 135 candidates ran for Governor 3 years ago, it should be no surprise that during the 2004 general election, the California voter guidebook was nearly 200 pages. This guide included information on candidates and ballot measures that helped voters prepare for the election. Even native English speakers struggled to digest the ballot arguments in preparation for voting. For citizens with limited English proficiency, the task was all the more daunting.

I believe all U.S. citizens should learn the English language. It is the key to upward mobility in our society and a powerful common bond. Yet new citizens still learning the English language have the right to vote. Thankfully, due to the VRA, our polling sites provide language assistance so that all citizens can meaningfully participate in the election process, including new citizens still struggling to master the English language.

The right to vote for every American citizen is the foundation of our democracy. Unfortunately, there are still barriers to overcome, and we as a Nation must not give up on the protections that give content to that right. I am proud to support the Voting Rights Act Reauthorization and will continue to do my part to ensure that the VRA remains effective and enforced. For this reason, Mr. Speaker, I call upon the leadership to take immediate action to bring this legislation to the floor for a vote.

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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.)

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

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

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## PLAN FOR IRAQ

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WOOLSEY. Mr. Speaker, last week, Army General George Casey, the top American military commander in Iraq, presented civilians leaders here at home with a plan for sharply reducing the number of U.S. troops in Iraq for September of this year.

According to reports, General Casey shared his plan with Secretary of Defense Donald Rumsfeld; Chairman of the Joint Chiefs of Staff, Peter Pace; and even President Bush himself.

The idea of an actual plan for how to end the war in Iraq is something that many of us in Congress have been calling for over the last several months and years. General Casey's plan reportedly suggests reducing our troop presence by as much as 60 percent. But, unfortunately, without a plan about how best to accomplish bringing our troops home, a plan to protect the safety and ensure the safety of 135,000 American soldiers, this could haphazardly actually endanger the remaining 40,000 to 50,000 soldiers and leave them behind as sitting ducks.

Mr. Speaker, I have been calling for the President to present a plan for bringing our troops home since December of 2005; and in May of last year, when we held the first debate on Iraq on the House floor after the beginning of the war itself, 128 Members of the House, more than one-third of the Members of the House of Representatives, agreed that the President needed to come up with a plan for bringing our troops home and share it with the appropriate congressional committees.

Today, more than a year later and with the majority of the American people agreeing that this senseless war needs to end as soon as possible, that number would be surely higher.

The idea that the President invaded a country in the very first place without a strategic goal in mind and without a plan for how to win and how to leave is absolutely incomprehensible. And no one should confuse the Bush administration's tired old line about staying the course for an actual plan or a strategy. Lines like ''we will stay in Iraq until the job gets done'' are nothing more than trite slogans.

What most Americans and nearly all Iraqis understand is that open-ended U.S. military presence in Iraq does not serve either Americans or Iraqis. The very perception that we plan to stay in Iraq permanently at any level is one of the greatest catalysts spurring the Iraqi insurgency. Just yesterday, 11 Sunni insurgent groups publicly stated that they would immediately halt all terrorist attacks in Iraq, including those against American troops, if the United States would publicly commit to leaving within the next 2 years.

It is clear that the time is long overdue to bring our troops home. For goodness sakes, the American people are for this. The Iraqis are for this. Why can't Congress be for this? Is it not time we caught up with the people we are supposed to be working for?

Every week, every day, every hour we stay in Iraq is costing us dozens of American and Iraqi lives, hundreds of physical and psychological wounds, and billions of dollars. Let us send a message to our troops, let us send a message to the rest of the world that the values of diplomacy, multilateral cooperation, and respect for others' freedoms are the paramount American values, the qualities we stand for as a Nation, not endless war and certainly not the occupation of a sovereign people.

□ 2000

Since the beginning of the war, President Bush has said we would leave Iraq as soon as the military commanders on the ground told him it was time to do so. Well, now the highest-ranking military leader in Iraq has presented a plan for bringing our troops home. For the sake of our soldiers, their families and the people of the United States and Iraq, it is time for the President to keep his end of the bargain, but, Mr. Speaker, not without a plan, one presented to the Congress. He didn't have a plan going into the war, he didn't have a plan to win the war, but he must have a plan leaving the war. Otherwise, our troops will once again be under great danger.

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

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

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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.)

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## REUNITING MISSING CHILDREN WITH THEIR FAMILIES

Ms. MILLENDER-McDONALD. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. MILLENDER-McDONALD. Mr. Speaker, I am pleased to stand tonight and thank my colleagues on both sides of the aisle for passing H.R. 4416, a bill I introduced to help missing children be reunited with their families. Let me first begin by thanking Chairman TOM DAVIS and Ranking Member WAXMAN for reporting this measure out of the House Committee on Government Reform. I would also like to thank Chairman Ehlers for the role that he and the Committee on House Administration have played in moving this legislation forward.

Mr. Speaker, my bill will permanently authorize the use of official franked and penalty mail to assist in the location of missing and exploited children. Hurricane Katrina and Hurricane Rita opened many eyes to the undeniable reality that faces so many of America's most vulnerable. In the aftermath of those disasters, TV screens across the country aired photographs and other information about missing children throughout the gulf region. Fortunately, in the days and months since, the children missing as a result of these hurricanes have been reunited with their families, and that is very good news.

However, one thing remains clear. This Congress should take every reasonable step available to help families, not only those from the gulf coast but all across America be reunited with their loved ones that have been missing. My bill represents one step in that effort.

I have reviewed this matter at great length in the course of my work as ranking member of the Committee on House Administration and as a member of the Commission on Congressional Mailing Standards. In my judgment, the congressional frank presents an ideal opportunity to distribute information about missing and exploited children in addition to being an effective way for Members to communicate with their constituents about our important work.

Beginning in 1985 and for a period of 3 years, section 3220 of title 39 of the U.S. Code authorized the use of Federal penalty mail to assist in U.S. Department of Justice efforts to locate and recover missing children. Congress subsequently reauthorized this law three times for various lengths of time, but the last reauthorization expired 4 years ago, and unfortunately it has not been renewed or extended.

This program, which is entirely voluntary, has been a joint effort between the Department of Justice and the National Center for Missing and Exploited Children. By permanently authorizing this legislation, we are providing Federal agencies and the United States Congress with the opportunity to help in the recovery of missing and exploited children throughout this country.

Under the provisions of my bill, biographical data and pictures of children featured in the National Center for Missing and Exploited Children's photo distribution program can be included in various categories of official Federal Government mail.

According to the center, one in six of these featured children is recovered as a direct result of someone in the general public recognizing the child in the picture and notifying authorities. The U.S. Postal Service reports that in fiscal year 2005, U.S. Government agencies mailed over 1.3 billion pieces of penalty mail. If only 50 percent of this mail had included a picture and biographical sketch of one of the more

than 797,000 children currently reported as missing, there would have been over 708 million chances of a missing child being identified and reunited with his or her family.

Mr. Speaker, I would like to include in the RECORD a letter that I received from the president of the National Center for Missing and Exploited Children, Mr. Ernie Allen, urging reauthorization of this program and emphasizing its value and importance.

Mr. Speaker, this is a very important piece of legislation that Congress has supported for almost 20 years. I am grateful that this body will continue that support by the passing of my bill on Monday so that we can do our part to help bring these children home safely.

NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN,
*Alexandria, VA, March 24, 2006.*

Hon. JUANITA MILLENDER-MCDONALD,
*Rayburn House Office Building,*
*Washington, DC.*

DEAR REPRESENTATIVE MILLENDER-MCDONALD: On behalf of the National Center for Missing & Exploited Children (''NCMEC''), I am writing to commend you for introducing H.R. 4416, a bill to reauthorize the use of official and franked mail to assist in the location and recovery of missing children.

NCMEC can attest to the fact that distributing photos of missing children is extremely successful. We began our photo distribution program in 1984 and now have 345 public and private partners. We are pleased to report that one out of every six missing children in our program has been recovered as a direct result of the photo being recognized by a member of the public. We are grateful to the members of Congress and executive branch offices that have chosen to join us in our efforts over the years.

Thank you for your initiative in continuing this program that has proven to be a valuable tool in the search for missing children.

Sincerely,

ERNIE ALLEN,
*President.*

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

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

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

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

## CALLING FOR INCREASE IN MINIMUM WAGE

Ms. KAPTUR. Mr. Speaker, I rise to address the house for 5 minutes and to claim the gentleman from Illinois' time.

The SPEAKER pro tempore. Without objection, the gentlewoman from Ohio is recognized for 5 minutes.

There was no objection.

Ms. KAPTUR. Thank you.

Mr. Speaker, people who work full time should not live in poverty. Yet America's minimum wage has been set at $5.15 for the last decade, while the costs of housing, health care, education and gasoline have skyrocketed. This stagnant wage represents a decline in purchasing power for the working class, so great that it is at its lowest value in a half a century when adjusted for inflation.

The Democrats have a proposal to raise the minimum wage to $7.25 over the next 2 years. The Republican leadership of this Chamber, however, saw fit to block this legislation from reaching the House floor for a vote. Ironically, that Republican majority then voted to raise their own pay.

Last week, I voted once again to block the automatic pay raises for Congress, called cost-of-living adjustments. Don't those at the low end of the pay scale deserve more than those at the very top? Don't they deserve more attention? My office has been flooded with letters and emails urging the increase in the minimum wage. Some of my constituents write because they are struggling to pay their bills with minimum-wage salaries. Others are earning more than the minimum wage, but promote the increase, anyway, as they realize this is also a moral issue. Yes, people who work should not live in poverty.

One of my constituents wrote me a series of questions that I believe my Republican colleagues who are opposed to increasing the minimum wage could benefit from hearing. One constituent asked: ''How do you distinguish between the working poor and their need for a raise and Congress' need for a raise?''

Another: ''Do you ever decide not to go to an event because you have to make your auto's gas last until the end of the week?''

Or: ''When your child is sick, do you look at your budget to see where the $20 copay for the prescription is going to come from?''

Or: ''When I get an extra $50, I put it towards my running bill at the VA for my prescriptions. Basic needs. What are Members of Congress going to do with their raise?''

The American people are asking.

Frankly, they should turn them down and let them be given to those who need the help. Unfortunately, millions of Americans are faced with vital decisions daily, things too many Members of Congress take for granted. These Americans are among the working poor with full-time jobs earning $5.15 an hour. Millions fall into this boat, even more when you consider that the poverty line has not been adequately adjusted to reflect the true level of poverty in this country.

My Republican colleagues who are against the minimum wage cannot identify with that struggle. Opponents argue the market should dictate wages. Well, Mr. Speaker, we know the market works very imperfectly. They favor those with capital and those who inherit it, even with no work of their own. A market where chief executive officers make 262 times that of the average worker and 821 times that of the minimum-wage worker is not a market that is working well. And it is surely not working well enough to build a solid middle class.

This same erroneous argument of letting the market dictate has been used to tout the value of flawed trade agreements like CAFTA and NAFTA. These lopsided agreements have been structured in a way to favor capital over workers across borders, outsourcing more of our jobs and putting a crushing downward squeeze on the middle class and on keeping the minimum wage at rock bottom.

Trade agreements that do not have protections for workers are fueling the influx of immigrants into our country. These workers do not necessarily prefer America to their home country. It is just that these poor trade agreements have really wiped out their livelihoods, and they are fleeing to the United States. These workers are willing, due to dire circumstances, to work for sub-minimum wages which in turn depresses all wages in on our country.

People who go to work every day and perform the services essential to keeping our economy functioning deserve to live above the poverty level. America is the richest nation in the world. It should be able to pay a living wage and build a middle class for those who hold the least in society. We need to reward work itself, or it will lose its value. The definition of opportunity in this country will lose its value. We should follow our conscience and raise the minimum wage.

I ask those who are listening in this Chamber and elsewhere to write their Member of Congress and urge an increase in the minimum wage in our country from $5.15 an hour to $7.25 an hour over the next 2 years. It is the right thing to do.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from 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.)

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

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

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

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

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

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

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

(Ms. LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

## THE ACQUISITION OF THE PAPERS OF DR. MARTIN LUTHER KING, JR.

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

Ms. JACKSON-LEE of Texas. I rise to inform the House of the happy news that the "Dr. Martin Luther King, Jr. Collection," will be archived at Morehouse College, Dr. King's alma mater. The good news is that this collection, widely regarded by leading historians to be among the most important of the 20th century, will remain in Atlanta, Georgia, the city in which Dr. King was born and laid to his final rest.

Valued at over $30 million, the King collection consists of more than 20,000 square feet of notes, speech drafts, notebooks, canceled cheques, index cards, sermons, and other items obtained by local Atlanta businesses and philanthropists during a last-minute fundraiser. These items, rather than disappearing into private collections, will instead be housed at Morehouse College, an African American liberal arts college and Dr. King's alma mater.

From a blue spiral notebook used in a prison cell to a very early draft of the "I have a Dream" speech, these papers reveal the voice, character, and spiritual tenacity that changed America and continues to inspire freedom-loving people around the world.

Although many, many people worked to make this possible, special thanks are due Atlanta Mayor Shirley Franklin; Andrew Young, former U.N. Ambassador, Atlanta Mayor, and Member of Congress; and Mr. and Mrs. Kase and Eileen Lawal of Houston, Texas. Each of them gave generously of their time and talent and resources to secure the benefits of the Dr. King Collection for the public benefit. I hope they realize the beneficial impact their actions, in preserving for generations to come, access to the thought and ideas of one of the world's most consequential human beings. This is only the most recent example of their commitment to the causes for which Dr. King lived and died.

I also wish to thank the children of Dr. King and Coretta Scott King: Martin III, Yolanda, Dexter, and Berneice. They shared their father and mother with the American people. They lost their father early. They have given the nation a lot. And now they have given the nation more: a treasure trove of history, consisting of more than 7,000 items that include theological writings, index cards with sketched sermon ideas, drafts of an address on being awarded the Nobel prize, and the draft of a eulogy Dr. King began upon learning of the assassination of John Kennedy. Additionally, this collection includes Dr. King's private library of books, most of which are annotated with extensive writing in the margins. The papers also include an early four-page draft of the most famous speech Dr. King delivered at the Lincoln Memorial in 1963.

Dr. King, one of the giants of the last century, will be remembered for his tireless and ceaseless efforts to advance race relations, civil rights, social justice and human rights. We will always look to his words, and our memories, to renew our resolve to find justice and equality for all. Dr. King brought his vision and warmth into every room, and left it imprinted on our souls. His legacy requires us to continue in his stead, and pursue nothing less than true justice.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment concurrent resolutions of the House of the following titles:

H. Con Res. 426. Concurrent resolution recognizing the Food and Drug Administration of the Department of Health and Human Services on the occasion of the 100th anniversary of the passage of the Food and Drugs Act for the important service it provides the Nation.

H. Con. Res. 440. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the Senate has passed bills and a joint resolution of the following titles in which concurrence of the House is requested:

S. 811. An act to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the birth of Abraham Lincoln.

S. 2321. An act to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille.

S.J. Res. 40. Joint resolution authorizing the printing and binding of a supplement to, and revised edition of, Senate Procedure.

## BLUE DOG COALITION

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

Mr. ROSS. Thank you, Mr. Speaker.

This evening I rise on behalf of the 37-member strong, fiscally conservative Democratic Blue Dog Coalition to discuss a grave concern of ours and that is the Nation's debt. As you walk the Halls of Congress, there is never a doubt whether you are walking past one of the 37 of us that make up the Democratic Blue Dog Coalition because you will see this poster as a welcome mat by each of our doors. As you can see from this poster, today the United States national debt is $8,346,401,298,731 and some change. For every man, woman and child living in America today, including the children born this hour, their share of the national debt is $27,905. I might add, a staggering $27,905. It is what we call the debt tax, D-E-B-T. Mr. Speaker, that is one tax that cannot be cut or eliminated until this Republican Congress and this Republican administration gets its fiscal house in order.

As members of the fiscally conservative Democratic Blue Dog Coalition, we are here tonight, Mr. Speaker, to talk about trying to restore some common sense and fiscal discipline to our Nation's government. It is hard now to believe, but from 1998 through 2001, this Nation had a balanced budget and the economy was much better. People were saving more. They had good jobs. Today, for those fortunate enough to have a job, many of them have had to leave the good-paying jobs with the good benefits for low-paying jobs with little or no benefits.

It is time to get our fiscal house back in order so we can jump-start this economy, invest in alternative and renewable fuels and bring down the high cost of gasoline, ensure that our children are getting the very best education possible, ensure that health care is affordable and accessible, and ensure that we are doing right by our men and women in uniform and our veterans.

□ 2015

In order to meet what I believe should be America's priorities, we must first get our Nation's fiscal house in order. And we are not doing that. We had deficit spending, record deficits in 2002, 2003, 2004, 2005, 2006, and, yes, the projected deficit for fiscal year 2007, you will hear a lot of people refer to it as $350 billion. The deficit for fiscal year 2007, a lot of people will tell you it is $350 billion, but it is not. It is not, Mr. Speaker. The real deficit for fiscal year 2007 is $545 billion.

Why the difference between the $350 billion and the $545 billion? It is quite simple. Our Government is borrowing from the Social Security Trust Fund to fund this deficit, to fund tax cuts for those earning over $400,000 a year.

I am now beginning to understand why when I came to Congress in 2001 the first bill I filed was a bill to tell the politicians in Washington to keep their hands off the Social Security Trust Fund. This Republican Congress refused to give me a hearing or a vote on that bill. And now we know why. Because for fiscal year 2007 the real deficit is not $350 billion as they want you to believe, it is $540 billion, because the difference is money they are taking from the Social Security Trust Fund with no provision on when or how it gets paid back and no idea where the revenue is going to come from to pay it back.

The national debt. Listen to this. The total national debt in 1789 to 2000 was $5.67 trillion. But by 2010, the total national debt will have increased to $10.88 trillion if we continue down this path. That is a doubling. That is a doubling of a 211-year debt in just 10 years.

Interest payments on this debt are one of the fastest-growing parts of the Federal budget. And the debt tax, as I refer to it, is one tax that cannot be repealed or cut until we get our Nation's fiscal house in order.

Again the D-E-B-T tax, the debt tax, $27,905 for every living man, woman and child in this country today. That is what it would take to pay off this massive debt of $8,346,401,298,731 and, of course, some change.

Why do deficits matter? Deficits reduce economic growth. They burden our children and grandchildren with liabilities. They increase our reliance on foreign lenders who now own 40 percent of our debt.

Mr. Speaker, the U.S. is becoming increasingly dependent on foreign lenders. Foreign lenders currently hold a total of more than $2 trillion of our public debt. Compare this to only $23 billion foreign holdings back in 1993.

The top 10 current lenders, now get a load of this, think about this. We are passing law after law providing tax cuts to those earning over $400,000 a year, while cutting Medicaid, while cutting student loans. And where is the revenue coming from? We are borrowing $1 billion a day. We are spending half a billion dollars a day paying interest on the debt that we have already got, and we are borrowing another billion dollars a day on top of that.

Where is it coming from?

Japan. We owe Japan $640.1 billion.

China. Our Nation has borrowed $321.4 billion from China to provide tax cuts in this Nation to those earning over $400,000 a year.

United Kingdom, $179.5 billion.

OPEC. Imagine that. Our Nation has borrowed $98 billion from OPEC.

Korea, $72.4 billion.

Taiwan, $68.9 billion.

The Caribbean banking centers, $61.7 billion.

Hong Kong, $46.6 billion.

Germany, $46.5 billion.

Mexico. Our Nation has borrowed $40.1 billion from Mexico to give tax cuts in this country to those earning over $400,000 a year.

Mr. Speaker, I submit to you it is time for us to get our Nation's fiscal house in order, to stop the deficit spending, to pay down this debt and get back to addressing the real needs and the real priorities of America's working families, America's farm families, and America's seniors.

Mr. Speaker, if you have any comments or questions about what we are discussing tonight dealing with the fiscally conservative Blue Dog Coalition and our concern about the debt and the deficit, and as we talk more about accountability this evening, restoring accountability to our Nation's Government, Mr. Speaker, if you have any questions, comments or concerns, I encourage you to e-mail us, sir, at bluedog@mail.house.gov. That is bluedog@mail.house.gov.

Now, I have laid out the problem that this Nation faces. We are not here as members of the 37-member-strong, fiscally conservative Democratic Blue Dog Coalition to simply criticize the Republican leadership for their failures since they took over this House and became the majority, became the ones in charge of this place.

We are here to also offer up solutions, something that I believe too many politicians fail to do. They are quick to criticize, but they are not quick to offer up solutions.

Mr. Speaker, we have a 12-point plan that will cure our Nation's addiction to deficit spending that has been laid out by the Blue Dog Coalition. We will be talking about these 12 points tonight, including a constitutional amendment calling for a balanced budget, among others; and we will also be talking about restoring accountability to our Government.

But at this time I will yield to my friend, a fellow Blue Dog, who comes to us from the State of California. That is the gentleman from California, Congressman JIM COSTA.

Mr. COSTA. Mr. Speaker, I am honored to join tonight with my fellow Blue Dog, Congressman MIKE ROSS, the gentleman from Arkansas, who does an excellent job on behalf of representing his constituents from the great State of Arkansas.

Tonight, as a fellow Blue Dog member, I want to echo a number of the comments that Congressman ROSS has made, because in that 12-point program that Congressman ROSS will talk more about I believe lies solutions to the problems facing our Nation today, solutions that come to the heart of criteria and qualities that all Americans I think share. Those are accountability, competence and what kind of representation they want to see in their House of Representatives.

It does not matter what party you are a member of in this great Nation of ours. Accountability and competence are characteristics that Americans value throughout our great land.

In coming to the Congress as a new Member and becoming a fellow Blue Dog, we have had an opportunity to share and really spend a great deal of time in examining the challenges that our Nation finds itself in in getting its fiscal house in order.

Recently, the Blue Dogs, in consultation with a lot of research, uncovered an unpublicized Department of Treasury document that made a report that I think most Americans, unfortunately, are unaware of. This Department of Treasury, run by this administration, using the same tried and true accounting methods that every business in America uses, cast new light on the fiscal severity that our Nation is facing, what some would call a mess.

This Treasury report, filed by the Bush administration, reinforces what the Blue Dogs have been saying for years. One of the startling revelations of this 158-page report indicates by the admission of Secretary Snow that the U.S. deficit, as Congressman ROSS said, under current accounting methods in 2005 was more than twice the amount that is being reported.

As a matter of fact, if you do not take into account, as Congressman ROSS just stated, the Social Security surplus, our fiscal deficit, ladies and gentlemen, is over $700 billion today. And, yes, we pay the interest on that debt every day. But do not take my word for it. Look at the financial report of the United States Government, 2005.

Because it goes on to say that, in fact, in conjunction with the U.S. Comptroller, that there is no way we can get a clean audit from the books of most of our Federal agencies. Why? Because no one is being held accountable. Congressional leaders are not conducting the oversight hearings that we should do as a part of our responsibility as Members of Congress. And so, frankly, we do not know what the true state of our budget is, because so many of these agencies have not been able to provide the proper audits.

In a letter contained within this report, in this report, David Walker, the Comptroller General of the United States, explains that the model currently used by Government provides a potentially unrealistic and misleading picture of the Federal deficit, its overall performance, the financial conditions and what the future outlook will be for future generations of Americans to come.

The financial report makes it very clear that if we got into honest budgeting today, that in fact we would find ourselves with a much larger deficit than we have today. It goes beyond that to say that, in fact, if you looked at all 26 agencies in the Federal Government, that is on page 23 here, and you asked them for a clean fiscal audit, that over two-thirds of them would not be able to provide that clean fiscal audit.

That obviously is not the kind of condition that Americans want their Federal Government to be in. That is not the kind of operation and management that provides for the true fiscal

accountability and the competency. Competency. Remember, I said accountability and competency are characteristics that American taxpayers care about. They are values and characteristics that really make a difference.

So what we have today is not just a problem with accountability, but it is competence. It is not just the problems in the aftermath of Katrina and Rita with FEMA, but it deals with a budget deficit. It deals with a budget deficit that has been compounded by a trade deficit that has grown by 1,400 percent in the last 4 years.

In 1992, our trade deficit was over $36 billion. 2005, our trade deficit has grown to over $670 billion. Along with it, I might add, a lot of American jobs that have been exported overseas.

Let me close my comments, Mr. Speaker, by telling you that, as a new Member of Congress, I had served previously for 24 years in the California legislature. I think I did not come back here to Washington with any Pollyanna view of the world. But I also believe very passionately in representative democracy, when it works well and when it does not work.

I have just recently finished reading a book that I want to recommend to Americans back home. It is called Flight Club Politics. It is an accountability of what has occurred in the House of Representatives over the last 15, 20 years.

It did not begin with the Republicans. It involved the Democrats in the late 1980s and 1990s. And notwithstanding the Republican's efforts to pledge to reform the House in 1994 when they took over, the fact of the matter is, as the evolution of this, Flight Club Politics: How Partisanship is Poisoning the House of Representatives, has unfortunately, in my opinion, only multiplied the problems that we now have exist today.

We no longer have a system of checks and balances. Under the Republican leadership during the Clinton administration, there were over 1,000 subpoenas of the administration.

□ 2030

Now, one could argue that the Congress was doing its part to provide checks and balances. Unfortunately, by comparison, under the last 5 years, with the Republican administration, there has been less than 10 subpoenas requested of this administration to hold them accountable, regardless of what Department or agency you are talking about.

When you have a view of the world that the only legislation that we can bring to the floor of the House must first pass with a majority of the majority, you are taking away the opportunity to have true bipartisan solutions. And it is one of the reasons, I believe, why today in America one of the fastest growing views of voters in America is ''decline to state or independent.'' So regardless of what party one must be registered under, people more and more view themselves as independents.

What we have to do today and in the future is to restore bipartisanship to this Congress. The Blue Dogs believe in that. We have to reinforce the opportunities that we don't need a de facto parliamentary system, where there is less focus on checks and balances and one party basically runs the entire government. Those are among the many challenges that we face today.

My colleagues, I am proud to be a member of a group of moderate to conservative Democrats who frankly believe that we must first get our fiscal house in order. How do we do so? We do so with true accountability, we do so with competence in terms of how our Federal Government is run, and we do so by ensuring that our House restores the civility and bipartisan workmanship that is what our founding fathers had in mind.

Mr. Speaker, I yield back to my colleague and good friend, Mr. ROSS.

Mr. ROSS. I want to thank the gentleman from California, a member of the Blue Dog Coalition, JIM COSTA, for joining us this evening.

The gentleman mentioned the financial report of the United States Government for 2005. You pointed out that in that the debt is really not, for 2005, it really wasn't $319 billion; it was really $760 billion. And I just want to make sure, Mr. Speaker, that you understand we are not trying to make things sound worse than they really are, or make up some numbers or anything. The $760 billion deficit for 2005 is contained here in the financial report of the United States of America, which was published by John Snow, President Bush's Secretary of the Treasury.

Now, how does this financial report say that the deficit is $760 billion in 2005 when everyone else has been saying it is $319 billion? And, again, there is no reason to make it any worse than it already is. It was already one of the largest deficits ever in our Nation's history. There is no reason to try to make it worse. But here is a little known fact that very few Members of Congress are even aware of: it is not well published on Capitol Hill.

When the budget rolls out, you will see them bringing it to Capitol Hill with a lot of fanfare. It is about that thick and several volumes. This is quietly brought to Capitol Hill, and not even provided to every Member of Congress. Why is that? Because this is true accounting.

The difference is that the budget uses cash-base accounting, which only the tiniest businesses in America use because it hides future obligations, thus painting, potentially, an unrealistic and misleading picture of the Federal Government's overall performance. That is according to David Walker, the Comptroller General of the Government Accountability Office.

So when you do cash-base accounting, the deficit for 2005 was $319 billion. But in this financial report of the United States of America, as required by law, the Treasury Secretary has to report what the real debt is, the real deficit is, based on accrual accounting. And, Mr. Speaker, accrual accounting is something that most businesses in America are very aware of because it is the method required by law. It is the method required by this Congress to be used by every business in America with revenues over $5 million.

This financial report takes into account future obligations of the Federal Government, presenting a clearer, more understandable picture of Federal finances. So the real deficit for 2005 was not the $319 billion contained in the budget using cash-base accounting, but rather it was $760 billion as contained in the financial report of the United States Government for 2005 issued by the Secretary of the Treasury, John Snow, as required by law, using accrual accounting.

This is the same accounting method required by this Congress for businesses with revenues over $5 million to use; and if they don't use the accrual method of accounting, they are slapped with all kinds of fines by the IRS and in all kinds of trouble with the Justice Department.

So I thank the gentleman from California for bringing that to our attention this evening.

Now, as I said earlier, the Blue Dog Coalition has a plan on how to fix all of this. We have a 12-point plan for meaningful budget reform. I mentioned one of them, which is requiring a constitutional amendment for a balanced budget.

Forty-nine States require a balanced budget. Most businesses require a balanced budget. And I can assure you, in the Ross family my wife requires a balanced budget.

A second idea we have in our 12-point plan for curing our Nation's addiction to deficit spending is don't let Congress buy on credit.

Back when President Clinton gave us the first balanced budget in 40 years, we had something implemented on this House floor called PAYGO rules. Pay as you go. If you want to fund a new project, you have to show us which project you are going to cut. If you want to pass tax cuts, you have to show us which program you want to cut. In other words, pay as you go. Don't continue down this track that we are on today of running up the deficit, running up the debt, and borrowing money from China and Japan and Korea and OPEC to pay for this reckless spending.

Another thing that we are doing, as members of the Blue Dog Coalition, is we have a plan to restore accountability.

The author of this plan is a founding member of the fiscally conservative Democratic Blue Dog Coalition, JOHN TANNER, of Tennessee.

Let me just say that under the United States Constitution, Congress

has an obligation to provide congressional oversight of the executive branch. Congressional oversight prevents waste and fraud, ensures executive compliance with the law, and evaluates executive performance. However, under this Republican leadership, Congress has abandoned this responsibility by failing to conduct meaningful investigations of allegations of serious waste, fraud, abuse, and mismanagement of taxpayer dollars.

By failing to serve as a check and balance for overspending, waist, fraud, and financial abuse within the executive branch, this Republican-led Congress has failed the American taxpayer. Every 24 hours, $279 million of your tax money is being spent in Iraq. But don't ask the President to be accountable for it. He will tell you you are unpatriotic.

That is where I disagree with this President. I believe we have a duty and an obligation to be accountable for taxpayer money. The current Federal debt, as you know, is $8.346 trillion, much of which, as we talked about earlier, is borrowed from foreign countries. This President, this administration, and this Republican Congress must be held accountable for our massive Federal debt and for the $279 million of tax money that is being spent in Iraq every day. Now, as long as we have troops in Iraq, I want to support them, and I want to send money there. But I want to make sure that money is accounted for and being spent on our men and women in uniform.

American taxpayers simply deserve to know how their money is spent. They deserve answers as to why their children and grandchildren will have to foot the bill for this administration's fiscal mismanagement of the Federal budget. And, Mr. Speaker, this includes answers as to why the Federal Emergency Management Agency continues to pay $250,000 a month to store almost 10,000 mobile homes, to be exact, as of tonight 9,957 of them, at the Hope Airport in Hope, Arkansas, in my congressional district, here is an aerial view of it, while many victims of Hurricane Katrina and other storms remain homeless.

It is past time for FEMA to be held accountable and provide these new fully furnished mobile homes to the victims of Hurricane Katrina. FEMA's response so far has been, oh, my goodness, they are liable to sink in this pasture. As you can see here from a better view, and you have to see this to believe it, here are the 9,957 mobile homes just sitting in a hay meadow. Here is the barbed wire fence at the Hope Airport in Hope, Arkansas.

Instead of moving them to storm victims that have been left homeless from various natural disasters, FEMA's response has been, oh, my goodness, the Inspector General is right, they are liable to start sinking in the hay meadow, so now they are spending $6 million putting gravel in this hay meadow at the Hope Airport in Hope, Arkansas.

It is time, it is time for FEMA to be held accountable for this mismanagement. No business in our country could succeed financially if it failed to fully report back to its shareholders on how it is spending its money. But that is exactly how our Federal Government is operating. The administration is not telling its shareholders, the American taxpayers, how it spends the money coming into Washington.

We have a plan to fix this. It is House Resolution 841, introduced by Representative JOHN TANNER, a founding member of the fiscally conservative Democratic Blue Dog Coalition, and at this time I want to call on Mr. TANNER to use as much time as he so desires to explain this bill, our solution, to try to address this lack of accountability in our government.

I am real proud that we are not just here to criticize this administration, this Republican Congress, but also to offer up a solution. At this time I yield to the gentleman from Tennessee.

Mr. TANNER. Thank you, Mr. ROSS, and I am delighted to be here and delighted that this hour is being devoted basically to common sense.

You know, when I was growing up in Tennessee, my parents basically taught me three things about financial responsibility: one was live within your means; two was to pay your debts; and three was to invest in the future, whether it was for your retirement or your kids' college or whatever. But those were three pretty good financial guidelines, I thought. Live within your means, pay your debts, pay who you owe, and save enough to invest in the future.

Unfortunately, this government of ours, all of us, we are not doing any of those things. We are not living within our means, not paying our debts, and we are certainly not investing in the future.

I have been so frustrated because, for the last 3 years, anyway, along with Congressman ROSS from Arkansas, some of us have been talking about the consequences of what is going on here. Unless one can figure out how to repeal the laws of arithmetic, folks, I am telling you, this country is getting in deeper and deeper financial trouble.

To give you some idea, in the summer of 2002, on the same tax base we have in the summer of 2006, there is now $60 billion less of the money that Congress takes away from the American taxpayer involuntarily in the form of taxation and appropriates to any administration. There is $60 billion a year less because we have borrowed, just since the summer of 2002, this Congress and this political leadership in Washington have borrowed, in your name and mine, over $1.5 trillion. And what is worse is that 75 percent of those borrowings have come from foreign sources.

I wish I was making this up. It is no fun to talk about. And as Khruschchev said, the former dictator in the old U.S.S.R., he said, an American politician will promise to build a bridge where there is no river. And part of our problem is the political leadership here in Washington is not leveling with the American people about the consequences of what we are doing in terms of hitting the Nation's credit card for not only that $1.5-plus trillion but all of the surplus money that is going into the Social Security trust fund. So we are borrowing that too. We just don't have to write interest checks to the Social Security trust funds every year.

Anyway, I was thinking about this, as a father and grandfather now, what kind of country are we going to leave our children? There are two things that come from reading of history. One is, there is no nation that is strong and free that has no infrastructure.

Our infrastructure in this country is in bad shape. Everybody knows that. Whether it is water, sewer, dykes, levees, and you can go down the list, we have serious infrastructure problems. In my home State of Tennessee, most of the county courthouses were built during the Depression, during the WPA days.

□ 2045

I am sure that is the same way in Arkansas and probably in Arkansas, Georgia, Alabama, Kentucky, all over. The courthouses were built back in those days, a lot of courthouse, I betcha. But that is not the real crux of the matter.

The real crux of the matter is we have to, and only the government can, invest in infrastructure. Because, after all, that is where private enterprise can go to create the jobs, to create prosperity, so that people have water, sewers, bridges, highways, airports, whatever it may. That is how private enterprise grows, around infrastructure investment by the government.

We are not able to do that because we have, just in the last 60 months, transferred out of the tax base, not raising taxes, not lowering taxes, we have transferred out of the tax base over $60 billion a year every year that goes not for veterans, not for education, not for infrastructure, but for interest. Seventy-five percent of that $60 billion that we are writing every year in checks for interest is going overseas, not even staying in this country.

The consequences of that are twofold. One is, we cannot invest in infrastructure to keep our country in as good of shape as it needs to be for private enterprise to prosper and create jobs in a good economy. The second thing we are doing is we are depriving ourselves and the government of the ability to invest in human capital.

What is human capital? Basically, it is the ability of the citizens of this country to compete in an increasingly globalized world.

Now, the government loses its ability because of this transfer of the tax base to interest, loses its ability to make the necessary investments in public education. Public education is not important in a dictatorship. Public education is not important in a Communist country. But public education

is critically important in a democracy, because we are called on.

As President Jimmy Carter said, the highest office in this land of ours is not the office we hold, it is that of citizen. Because the citizen holds the card, the voting card, if you will, to determine what happens. They hire guys like us every couple of years or so, but the citizen is the highest office that one can hold in our country. If we deprive the citizens because we do not have the ability to invest in public education, then we are on a downward spiral, I would say.

So you have two human capital factors. You have public education, because we are called on as citizens, the highest office in our land, to not only make a decision affecting us and our immediate families but also make a decision affecting our States and our country. In order to do that, we have to be educated; and in order to maximize that participation and that ability to understand what is going on, the masses of free people in a republic like ours have to be educated so they can read, write, think and rationalize their decisions. Public education is part of this investment in human capital.

The second thing is health care. Our country is no longer able to make the necessary investment in health care.

If one reads history, as I do, one will readily understand and discern that no nation, since the dawn of civilization, has ever been strong and free with an unhealthy, uneducated population. It is simply not possible. So the consequences of what you have been talking about on the national debt are very real to the citizens of this country.

They may not realize or think so in terms of the national debt, $8.3 trillion, but don't try to make it off of me. I am trying to make a house payment, car payment, and all the other things that I have to do with my kids and everything else. So that is a big number, but that is not a number people really relate to.

What people relate to, I believe, if we adequately articulate it, is the consequences to them, every day to us, of what is going on in this town, which leads me to this House Bill 841.

It is hard to imagine this, and when I tell civic clubs that I speak to in Tennessee from time to time, they look at me aghast. They can't believe it. In the year, fiscal year 2005, the Government Accountability Office reports that 19 of 24 Federal agencies cannot produce an acceptable audit. What that means is, if you go and ask them what did you do with the money that Congress involuntarily extracted from the taxpayers of this country in the form of taxation and appropriated to any administration, what did you do with it, 19 of 24 Federal agencies can't tell you.

Now I am in business in Tennessee. Well, my brothers and I are in a family business. Can you imagine going to your comptroller or your treasurer or whoever you look to handle your money in your business and saying, here is an expenditure of $5,000, $10,000. What is that for? The answer would be, you know, I can't tell you. I don't know.

No private enterprise in America would tolerate that. Because if they did, they wouldn't be in business. They would be broke. Yet that is what the American people are tolerating in this one-party government town where Congress not only takes money away from people in the form of taxation and then doesn't even ask the administration they appropriate to what they did with it. If they asked them, they couldn't tell them.

If there is one thing that the American citizen, highest officeholder in this land ought to expect from this Congress and any other Congress, in my view, is, what did you do with the money? If you can't tell us, any administration, if you can't tell us what you did, well, you don't get it next year.

So House bill 841 that we have introduced, the Blue Dogs have introduced is basically under three circumstances, when the inspector generals in every department, and every department has one that identifies waste, fraud, abuse, so forth, right now, the inspector general reports are just laying around gathering dust, because Congress is not going to ask, what did you do with the money?

There is no oversight here. Everybody knows that. All you have to do is read the paper about the money that is flowing out of here through a fire hose. Congress isn't asking the administration, where is it going? All we hear is, well, there is a no-bid contract here, a no-bid contract there.

I am going to bring a list of things that we have identified, $10 million to rehab an old Army base to house six people, no-bid contract. It cost $10 million to some contractor to rehab a house that holds six people.

That is what is going on under these no-bid contracts, and this Congress has totally, in my judgement, completely abdicated its constitutional responsibility to say what is going on over here.

I am going to read something in a minute that is going to even more shock people. One, any inspector general, I don't care whether it is a Democratic administration, Republican administration, Democratic Congress, Republican Congress, we have got one economy. We have got $1. We don't have a Democratic or Republican dollar bill. We have got a dollar bill that is an American dollar bill.

So we don't care. The Blue Dogs don't care whether it is a Democratic administration, Republican. This is what ought to be done on behalf of the American taxpayers who are Americans, first. They may be Democrat or Republicans. They are Americans. We are all Americans first.

What this bill would do is say when there is an adverse finding by the inspector general in any, any agency, Congress must hold a hearing within 60 days of that adverse finding so that at least we can bring it to light and the general public will know that, one, they can't find the money we appropriated to them.

Or, two, the inspector general has what they call a high-risk program. That is government talk for it means it probably is not working like we intended it to and like the people want it to. But they can't find the money for the high-risk program.

Or three, the auditor issues a disclaimer. Here is what I want to read about the department.

Four, that, basically, when they tried to audit these departments, the auditors said, look, we don't know whether this is true or not.

On the front page of the audit, they say everything you are about to read here about what these people are doing with taxpayer money, we don't know. We can't vouch for it. We make no, absolutely no assertion that any of this, what you are about to see, is true, because we can't find out from the people that Congress appropriated the money to.

I wish I was making this up, but I am not.

This is what the Office of the Inspector General says about the Department of Energy, for example. This is one. Audit work performed by the auditor identified significant deficiencies in financial management and reporting controls related to the Department's FY05 consolidated financial statements. Specifically, the Department was unable to correct previously described weaknesses and could not provide a number of supporting documents required for audit. Not only can it not produce an audit, they can't even provide a document so the auditors can produce an audit.

Listen to what they say about the Department of Homeland Security. Quote, unfortunately, the Department made little or no progress to improve its overall financial reporting during fiscal year 2005. The auditors were unable to provide an opinion on the Department's balance sheet.

Now we sit here in Congress and pass all these laws, Sarbanes-Oxley and all of this, about what private companies ought to do in terms of audit.

Here is the Homeland Security. You were just talking about 12,000 or 10,000 or 9,000 trailers at Hope Airport in Hope, Arkansas. They say, we are unable to provide an opinion. They can't even tell you. We don't even have an opinion because the books are so screwed up. This is quotes.

So House Bill 841, the Blue Dog bill, just says, when an IG report comes back like this, Congress must take action. What you have here, unfortunately, and this, again, is not partisan. I am a taxpayer. All of us pay taxes. We ought to be able to tell the American people what we did with the money we extract from them involuntarily in the form of taxes.

Here is an IG report. There hasn't been oversight on this, because Congress is not going to ask. You have a

compliant Congress, a friendly administration. Nobody wants to embarrass anybody else. So we have stuff like this that we tolerate in this town because we are all playing the political game.

I tell you, I don't know why we can't get some of our friends on the other side to join with me. What are they going to tell their constituents? We don't want to know where the money you sent us goes to? What are they going to say?

What could possibly be wrong with this Blue Dog bill for simple accountability? We took money from taxpayers. We gave it to the administration. What did you do with it? You can't tell us. You are not getting it. That is what the Blue Dog position is. I think that is where it is. I mean, I don't want to give them any more money when I don't know what happened to it.

Mr. ROSS. You are so right on target with what we need to be doing as a Nation.

In 2003, the Government Accountability Office identified 26 high-risk areas for the Federal Government.

Mr. TANNER. High risk means it doesn't work.

Mr. ROSS. Twenty-six. Since then, only three programs have been removed from the list, and four more have been added. Clearly, it is necessary that Congress become involved to curb mismanagement in Federal agencies.

You raised a good point. In fact, to go into that a little more, in 2004, $25 million of Federal Government spending went absolutely unaccounted for, according to the President's Treasury Department. The Bush administration was unable to determine where the money had gone, how it was spent or what the American people got for their tax money, $25 billion in 2004.

Even worse, this Republican-controlled Congress failed to hold the executive branch accountable, failed to hold the executive branch accountable for this submission.

□ 2100

And with your bill, sir, it would require this Congress, it would require this government, to hold this administration accountable for this kind of reckless and irresponsible spending. Furthermore, in 2005 the Government Accountability Office reported that 19 of 24 Federal agencies were not in compliance with all Federal accounting audit standards and could not fully explain how they had spent taxpayer money appropriated to them by Congress.

And yet the Republican leadership in this Congress did not force these agencies to fully account for how the money was being spent before doling out billions more of taxpayer dollars to the same programs. Clearly, Congress has failed to ask serious questions about the Bush administration's fiscal irresponsibility, record-high deficits 4 years in a row, and have now pushed the Federal debt to $8.3 trillion.

Mr. Speaker, if you have any comments or concerns about what we are discussing this evening, and I hope you do, I hope you will email us at bluedog@house.mail.gov. I yield to the gentleman from Tennessee.

Mr. TANNER. Let me tell you about another bill that our Blue Dog friend, DENNIS CARDOZA, has. And we passed the Sarbanes Oxley Act about holding the CEOs of all of these major corporations accountable. DENNIS has a bill that says, basically, if a Department of the Federal Government cannot produce an adequate or passable or acceptable audit within 2 years, then that Cabinet Secretary must go back to the Senate for reconfirmation as to why you can't tell us what is going on in your Department with the money that is being appropriated to your Department.

This is what would happen in private enterprise. And people tell me all the time, and I am sure they tell you, we would like the government to operate a little bit more like a business. Well, both of these bills, particularly 841, that is all we are asking is for this Congress to pass a bill that will require basically Congress to do its job and ask them what happened to the money, because Congress is the agency, is the separate but equal branch of government that levies taxes. The President doesn't tax people. The Supreme Court doesn't tax people. The Congress does. And it is the Congress's responsibility to see where it is going.

And this Congress has completely, totally failed to ask or even inquire about what is happening to the money that we are appropriating. And, really, the American people shouldn't put up with that. The more we can talk about it, I think, the more people will realize that there has got to be some changes made around here on accountability. And, again, this is not partisan. I don't care what administration is over there at the White House. Any of them ought to be able to tell us what did you do with the money, so we can either determine that it needs to be cut or added to.

When people get up and say we have got baseline funding, I say, you don't understand something. I want to cut some of this stuff that is not working. The IG reports identify government talk for high-risk programs. That means they don't work. But do you think this Congress has asked? Well, you just said it. They added four more since they cut them. And it keeps right on rolling along, money flowing out of here through a fire hose. It keeps rolling right on along.

There is one other thing I would like to mention tonight if I could. We have a bill that the Blue Dogs have endorsed that sets up an independent commission in every State to redistrict for Congress. The Supreme Court, yesterday in the Texas case, left the door open for mid-decade redistricting, which means that any State that gets all the levels of power, the Governor's office and the House and State Senate, can redistrict anytime they want to. I think that is one of the biggest threats to our process, to our Republic that I have ever heard of because I think where we are going here is a tit for tat. The Republicans did it to the Democrats in Texas, so the Democrats are going to do it to the Republicans in Illinois. Democrats did it to us in Illinois, so we are going to do it to them in Ohio, wherever, all over the country.

And you are going to see nothing but political turmoil where the ''ins,'' whoever the ''ins'' are, Democrats or Republicans, they are both ''ins,'' are playing this political game, and the people of this country are left in the dust. They are pawns on a chess board to be played with by the ''ins,'' whoever the ''ins'' are, Democrat or Republican. I think that this is one of the most misguided opinions I have ever read.

The other thing about that is this: there was a case that came from Tennessee in 1962, Baker v. Carr, and that was a case that said in the case of the State House, State Senate and U.S. House, everybody had to represent approximately the same number of people.

Now, how in the world any State legislature could reapportion Congress in 2008 based on 2000 census data and say we are complying with Baker v. Carr, in that everybody represents an equal amount of people, is beyond me. And I will tell you what you do. If you don't believe me, go pick up an 8-year-old phone book and see how many people you can call in that 8-year-old phone book or how many businesses you can call that are still there. There is no way that any legislature can comply with one person, one vote 8 years after the data was compiled.

Yet that is what the Supreme Court left open. You talk about activist judges. I just think that what they are doing is setting this country up for nothing but a political food fight while the country's needs go unattended. And this is the ''ins.'' And what we have seen over the last 40-something years, since the Baker v. Carr decision is the ''ins'' have manipulated the system for themselves. It suits all the Republicans to make Republican districts more Republican. It suits the Democrats to make the Democratic districts more Democratic. So what you have here is the wings coming here to Congress and being unable ideologically to figure out how to get along. And this is why I think we have one of the problems here, and that is the middle is disappearing where everything gets done in a free society where nobody can order anybody else to do anything.

So I wanted to mention that because we have that bill, the Blue Dog endorsed bill, that would set up independent commissions. And one of the criteria is they can't take into account where the incumbent lives. And we are asking people to give up a lot of power. I understand that. But I hope the

American people realize that they are the victims of this with the ''ins,'' Democrats and Republicans, who are in, manipulating the system for each other's benefit.

And what do we have? We have a food fight here on the floor of the House every day. And it is not a parliamentary system. It is a representative system and one, I think, as Ben Franklin said after they got through with all the Constitution, everything, said, what have we wrought? And Ben Franklin said, a Republic, if you can keep it.

We are in, I think, grave danger with what we have done to gerrymander the country. And it is the ''ins,'' Democrats and Republican, who are in that are doing it. And we are trying to change that, and the Blue Dog bill will do that. And I hope we can get some action. It will have to come from outside of this building, unfortunately. Thank you.

Mr. ROSS. I want to thank the gentleman from Tennessee (Mr. TANNER) for his leadership as a founding member of the fiscally conservative Democratic Blue Dog Coalition. I want to thank him for his leadership on House Resolution 841.

We have talked tonight about House Resolution 841 to require congressional hearings when there is fraud, waste and abuse and mismanagement of Federal agencies with your tax dollars.

We have also talked tonight about another commonsense solution, and that is H.R. 5315, by one of the Blue Dog cochairs, Mr. CARDOZA of California, who has a real commonsense idea, and that is if you are a Cabinet head and your Federal agency that you oversee cannot fully account for its spending, you should have to go back to the Senate for reconfirmation.

So these are commonsense solutions that we are offering up. We are not here just to be critical of the Republican administration. We are here to say here is what is wrong and here are the things that we think we can do to fix it. Clearly, the time has come to hold this administration accountable for its reckless behavior. I believe Congress must act now to renew its constitutional responsibility to serve as a check and balance for overspending, waste, fraud and financial abuse within the executive branch of government.

Wasteful government spending has forced the national debt to its current record level of $8,346,401,298,731, and future generations, our children and grandchildren, will be forced to pay that bill. Future generations will have to pay back with interest the money the Federal Government is borrowing from other countries due to this administration and this Republican Congress's fiscal recklessness.

The time has come, Mr. Speaker. The time has come to restore common sense and fiscal discipline to our Nation's government. The legislation that I have described to you this evening, these are two different legislative proposals put forth by the fiscally conservative Democratic Blue Dog Coalition that will put our Nation back on the track toward balancing the budget and restoring accountability.

Again, Mr. Speaker, the U.S. national debt, when we started this evening it was $8,346,401,298,731. And just in the past hour, as we have been discussing this financial crisis facing America, this number, this national debt has risen $41,666,000.

Mr. Speaker, our Nation is borrowing $1 billion a day. We are spending a half a billion a day paying interest on the debt we have already got.

Mr. Speaker, it is time to restore some common sense and fiscal discipline to our Nation's government, and once we do that, once we do that we can meet America's priorities. A half a billion dollars a day simply going to pay interest on the national debt. In my district alone, I have got $4 billion in road needs. I need $1.5 billion to finish I–69, Interstate 69. I need another $1.5 billion to finish Interstate 49. I need $200 million to finish Interstate I–530; $300 million to four-lane 167 from Little Rock to El Dorado and beyond; about 80 to $100 million to finish the Hot Springs Expressway; and $200 million to four-lane U.S. Highway 82 from the east to the west side of Arkansas. These kinds of road projects can create jobs and economic opportunities for one of the poorest regions in the country, the Delta region, which I am proud to represent.

But before we can meet America's priorities and lift these folks up out of poverty and give them a helping hand by building the roads they need, we must first restore common sense and fiscal discipline to our Nation's government and pay down this national debt and stop this deficit spending.

## WHY ARE THE AMERICAN PEOPLE SO ANGRY?

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

Mr. PAUL. Mr. Speaker, I am going to make an attempt to answer a question: Why are the American people so angry? I have been involved in politics for over 30 years and have never seen the American people so angry. It is not unusual to sense a modest amount of outrage, but it seems the anger today is unusually intense and quite possibly worse than ever. It is not easily explained, but I have some thoughts on this matter.

Generally, anger and frustration among people are related to economic conditions, bread and butter issues. Yet, today, according to government statistics, things are going well. We have low unemployment, low inflation, more homeowners than ever before, and abundant leisure and abundant luxuries. Even the poor have cell phones, televisions, and computers. Public school is free and anyone can get free medical care at any emergency room in the country. Almost all taxes are paid for by the top 50 percent of income earners.

□ 2115

The lower 50 percent pay essentially no income tax. Yet general dissatisfaction and anger are commonplace. The old slogan ''It's the economy, stupid'' just does not seem to explain things.

Some say it is the war. Yet we have lived with war throughout the 20th century. The bigger they were, the more we pulled together. And the current war, by comparison, has fewer American casualties than the rest, so it can't be just the war itself.

People complain about corruption, but what is new about government corruption? In the 19th century, we had railroad scandals. In the 20th century, we endured the Teapot Dome scandal, Watergate, Koreagate, and many others without too much anger and resentment. Yet today, it seems, anger is pervasive and worse than we have experienced in the past.

Could it be that war, vague yet persistent economic uncertainty, corruption, and the immigration problem all contribute to the anger we feel in America? Perhaps. But it is almost as though people are not exactly sure why they are so uneasy. They only know that they have had it and are not going to put up with it anymore.

High gasoline prices make a lot of people angry, though there is little understanding of how deficits, inflation, and the war in the Middle East all contribute to these higher prices.

Generally speaking, there are two controlling forces that determine the nature of government: the people's concern for their economic self-interest and the philosophy of those who hold positions of power and influence in any particular government.

Under Soviet communism, the workers believed their economic best interests would be served while a few dedicated theoreticians placed themselves in positions of power. Likewise, the intellectual leaders of the American Revolution were few but rallied the colonists who risked all to overthrow a tyrannical king.

Since there is never a perfect understanding between these two forces, the people and the philosophical leaders, and because the motivations of the intellectual leaders vary greatly, any transition from one system of government to another is unpredictable. The Communist takeover by Lenin was violent and costly. The demise of communism and the acceptance of a relatively open system in the former Soviet Union occurred in a miraculous manner. Both systems had intellectual underpinnings.

In the United States over the last century, we have witnessed the coming and going of various intellectual influences by proponents of the free market, Keynesian welfarism, varieties of socialism, and supply-side economics. In

foreign policy, we have seen a transition from the Founders' vision of nonintervention in the affairs of others to internationalism, unilateral nation building, and policing the world. We now have in place a policy driven by determined neoconservatives to promote American goodness and democracy throughout the world by military force, with particular emphasis on remaking the entire Middle East.

We all know that ideas do have consequences. Bad ideas, even when supported naively by the people, will have bad results. Could it be that the people sense in a profound way that the policies of recent decades are unworkable and thus they have instinctively lost confidence in their government leaders? This certainly happened in the final years of the Soviet system. Though not fully understood, this sense of frustration may well be the source of anger we hear expressed on a daily basis by so many. No matter how noble the motivations of political leaders are, when they achieve positions of power, the power itself inevitably becomes their driving force. Government officials too often yield to the temptations and corrupting influences of power.

But there are many others who are not bashful about using government power to do good. They truly believe they can make the economy fair through a redistributive tax and spending system, make the people moral by regulating personal behavior and choices, and remake the world in our image using armies. They argue that the use of force to achieve good is legitimate and a proper function of government, always speaking of the noble goals while ignoring the inevitable failures and evils caused by coercion. Not only do they justify government force, they believe they have a moral obligation to do so.

Once we concede government has this legitimate function and can be manipulated by a majority vote, the various special interests move in quickly. They gain control to direct government largesse for their own benefit. Too often, it is corporate interests who learn how to manipulate every contract, regulation, and tax policy. Likewise, promoters of the progressive agenda, always hostile to property rights, compete for government power through safety, health, and environmental initiatives. Both groups resort to using government power and abuse this power in an effort to serve their narrow interests. In the meantime, constitutional limits on power and its mandate to protect liberty are totally forgotten.

Since the use of power to achieve political ends is accepted, pervasive, and ever expanding, popular support for various programs is achieved by creating fear. Sometimes the fear is concocted out of thin air, but usually it is created by wildly exaggerating a problem or incident that does not warrant the proposed government so-called ''solution.'' Often government caused the problem in the first place.

The irony, of course, is that government action rarely solves any problem but rather worsens existing problems or creates altogether new ones. Fear is generated to garner popular support for the proposed government action even when some liberty has to be sacrificed. This leads to a society that is systematically driven toward fear, fear that gives the monstrous government more and more authority and control over our lives and property.

Fear is constantly generated by politicians to rally the support of the people. Environmentalists go back and forth from warning about a coming ice age to arguing the grave dangers of global warming. It is said that without an economic safety net for everyone from cradle to grave people would starve and many would become homeless. It is said that without government health care, the poor would not receive treatment, and medical care would be available only to the rich. Without government insuring pensions, all private pension funds would be threatened. Without Federal assistance, there would be no funds for public education, and the quality of our public schools would be diminished, ignoring, of course, recent history to the contrary.

It is argued that without government surveillance of every American even without search warrants, security cannot be achieved. The sacrifice of some liberty is required for security of our citizens, they claim. We are constantly told that the next terrorist attack could come at any moment. Rather than questioning why we might be attacked, this atmosphere of fear, instead, prompts giving up liberty and privacy. 9/11 has been conveniently used to generate the fear necessary to expand both our foreign intervention and domestic surveillance.

Fear of nuclear power is used to assure shortages and highly expensive energy.

In all instances where fear is generated and used to expand government control, it is safe to say the problems behind the fears were not caused by the free market economy or too much privacy or excessive liberty. It is easy to generate fear, fear that too often becomes excessive, unrealistic, and difficult to curb. This is important. It leads to even more demands for government action than the perpetrators of the fear actually anticipated. Once people look to government to alleviate their fears and make them safe, expectations exceed reality.

FEMA originally had a small role, but its current mission is to centrally manage every natural disaster that befalls us. This mission was exposed as a fraud during last year's hurricanes. Incompetence and corruption are now FEMA's legacy. This generates anger among those who have to pay the bills and among those who did not receive the handouts promised to them quickly enough.

Generating exaggerated fear to justify and promote attacks on private property is commonplace. It serves to inflame resentment between the producers in society and the so-called victims, whose demands grow exponentially.

The economic impossibility of this system guarantees that the harder government tries to satisfy the unlimited demands, the worse the problems become. We will not be able to pay the bills forever, and eventually our ability to borrow and print new money must end. This dependency on government will guarantee anger when the money runs out. Today, we are still able to borrow and inflate, but budgets are getting tighter and people sense serious problems lurking in the future. This fear is legitimate. No easy solution to our fiscal problems is readily apparent, and this ignites anger and apprehension. Disenchantment is directed at the politicians and their false promises made in order to secure reelection and exert power that so many of them enjoy.

It is, however, in foreign affairs that governments have most abused fear to generate support for an agenda that, under normal circumstances, would have been rejected. For decades, our administrations have targeted one supposed Hitler after another to gain support for military action against a particular country. Today, we have three choices termed the axis of evil: Iran, Iraq, or North Korea.

We recently witnessed how unfounded fear was generated concerning Saddam Hussein's weapons of mass destruction to justify our first-ever preemptive war. It is now universally known the fear was based on falsehoods, and yet the war goes on and the death and destruction continues.

This is not a new phenomenon. General Douglas MacArthur understood the political use of fear when he made this famous statement: ''Always there has been some terrible evil at home or some monstrous foreign power that was going to gobble us up if we did not blindly rally behind it.''

We should be ever vigilant when we hear the fear mongers preparing us for the next military conflict our young men and women will be expected to fight. We are being told of the great danger posed by Ahmadinejad in Iran and Kim Jong-il in North Korea. Even Russia and China bashing is in vogue again, and we are still not able to trade with or travel to Cuba. A constant enemy is required to expand the state. We are hearing more and more news stories blaming Iran for the bad results in Iraq. Does this mean Iran is next on the hit list?

The world is much too dangerous, we are told, and therefore we must be prepared to fight at a moment's notice, regardless of the cost. If the public could not be manipulated by the politicians' efforts to instill needless fear, fewer wars would be fought and far fewer lives would be lost.

Though the American people are fed up for a lot of legitimate reasons, almost all polls show the mess in Iraq

leads the list of why the anger is so intense. Short wars with well-defined victories are tolerated by the American people even when they are misled as to the reasons for the war. Wars entered into without a proper declaration tend to be politically motivated and not for national security reasons. These wars by their very nature are prolonged, costly, and usually require a new administration to finally end them. This certainly was true with the Korean and the Vietnam Wars. The lack of a quick military victory, the loss of life and limb, and the huge economic costs of lengthy wars precipitate anger. This is overwhelmingly true when the war propaganda that stirred up the illegitimate fears is exposed as a fraud. Most soon come to realize the promise of guns and butter is an illusion. They come to understand that inflation, a weak economy, and a prolonged war without real success are the reality.

The anger over the Iraq War is multifaceted. Some are angry believing they were lied to in order to gain their support at the beginning. Others are angry that the $40 billion we spend every year on intelligence gathering fail to provide good information. Proponents of the war too often are unable to admit the truth. They become frustrated with the progress of the war and then turn on those wanting to change course, angrily denouncing them as unpatriotic and unAmerican.

□ 2130

Those accused are quick to respond to the insulting charges made by those who want to fight on forever without regard to casualties. Proponents of the war do not hesitate to challenge the manhood of war critics, accusing them of wanting to cut and run. Some war supporters duck military service themselves while others fought and died, only adding to the anger of those who have seen battle up close and now question our campaign in Iraq.

When people see a $600 million embassy being built in Baghdad while funding for services here in the United States is hard to obtain, they become angry. They can't understand why the money is being spent, especially when they are told by our government that we have no intention of remaining permanently in Iraq.

The bickering and anger will not soon subside since victory in Iraq is not on the horizon and a change in policy is not likely to occur.

The neoconservative instigators of war are angry at everyone, at the people who want to get out of Iraq and especially at those prosecuting the war for not bombing more aggressively, sending in more troops and expanding the war into Iran. As our country becomes poorer due to the cost of the war, anger surely will escalate. Much of it will be justified.

It seems bizarre that it is so unthinkable to change course if the current policy is failing. Our leaders are like a physician who makes a wrong diagnosis and prescribes the wrong medicine, but because of his ego can't tell the patient he has made a mistake. Instead, he hopes the patient will get better on his own. But instead of improving, the patient gets worse from the medication wrongly prescribed. This would be abhorrent behavior in medicine, but tragically it is commonplace in politics.

If the truth is admitted, it would appear that the lives lost and the money spent have been in vain. Instead, more casualties must be sustained to prove a false premise. What a tragedy. If the truth is admitted, imagine the anger of all the families that already have suffered such a burden. That burden is softened when the families and the wounded are told their great sacrifice was worthy and required to preserve our freedoms and our Constitution.

But no one is allowed to ask the obvious: How have the 2,500 plus deaths and the 18,500 wounded made us more free? What in the world does Iraq have to do with protecting our civil liberties here at home? What national security threat prompted America's first preemptive war? How does our unilateral enforcement of U.N. resolutions enhance our freedoms?

These questions aren't permitted. They are not politically correct. I agree that the truth hurts and these questions are terribly hurtful to the families that have suffered so much. What a horrible thought it would be to find out the cause for which we fight is not quite so noble. I don't believe those who hide from the truth and refuse to face the reality of the war do so deliberately. The pain is too great. Deep down psychologically many are incapable of admitting such a costly and emotionally damaging error. They instead become even greater and more determined supporters of the failed policy.

I would concede that there are some, though, especially the diehard neoconservatives who believe it is our moral duty to spread American goodness through force and remake the Middle East who neither suffer regrets nor are bothered by the casualties. They continue to argue for more war without remorse as long as they themselves do not have to fight. Criticism is reserved for the wimps who want to ''cut and run.''

Due to the psychological need to persist with the failed policy, the war proponents must remain in denial of many facts staring them in the face. They refuse to accept that the real reason for our invasion and occupation of Iraq was not related to terrorism. They deny that our military is weaker as a consequence of this war. They won't admit that our invasion has served the interests of Osama bin Laden.

They continue to blame our image problems around the world on a few bad apples. They won't admit that our invasion has served the interests of Iran's radical regime. The cost in lives lost and dollars spent is glossed over and the deficit spirals up without concern. They ridicule those who point out that our relationship with our allies have been significantly damaged.

We have provided a tremendous incentive for Russia and China and others like Iran to organize through the Shanghai Cooperation Organization. They entertain future challenges to our plans to dominate Southeast Asia and the Middle East and all its oil. Radicalizing the Middle East will in the long term jeopardize Israel's security and increase the odds of this war spreading.

War supporters cannot see that for every Iraqi killed, another family turns on us, regardless of who did the killing. We are and will continue to be blamed for every wrong done in Iraq, all deaths, illness, water problems, food shortages and electricity outages. As long as our political leaders persist in these denials, the war won't end. The problem is that this is the source of the anger, because the American people are not in denial and want a change in policy.

Policy changes in wartime are difficult, for it is almost impossible for the administration to change course since so much emotional energy has been invested in the effort. That is why Eisenhower ended the Korean War, not Truman. That is why Nixon ended the Vietnam War, not LBJ. Even in the case of Vietnam, the end was too slow and costly as more than 30,000 military deaths came after Nixon's election in 1968.

It makes a lot more sense to avoid unnecessary wars than to overcome the politics involved in stopping them once they have started. I personally am convinced that many of our wars could be prevented by paying stricter attention to the method whereby our troops are committed to battle. I also am convinced that when Congress does not declare war, victory is unlikely. The most important thing Congress can do to prevent needless and foolish wars is for every Member to take seriously his or her oath to obey the Constitution. Wars should be entered into only after great deliberation and caution. Wars that are declared by Congress should reflect the support of the people and the goal should be a quick and successful resolution.

Our undeclared wars of the past 65 years have dragged on without precise victories. We fight to spread American values, to enforce U.N. resolutions, and to slay supposed Hitlers. We forget that once we spread American values by persuasion and setting an example, not by bombs and preemptive invasions. Nowhere in the Constitution are we permitted to go to war on behalf of the United Nations at the sacrifice of our national sovereignty. We repeatedly use military force against former allies, thugs we helped empower, like Saddam Hussein and Osama bin Laden, even when they pose no danger to us.

The 2002 resolution allowing the President to decide when and if to invade Iraq is an embarrassment. The

Constitution authorizes only Congress to declare war. Our refusal to declare war transferred power to the President illegally, without a constitutional amendment. Congress did this with a simple resolution, passed by majority vote. This means Congress reneged on its responsibility as a separate branch of government and should be held accountable for the bad policy in Iraq that the majority of Americans are now upset about. Congress is every bit as much at fault as the President.

Constitutional questions aside, the American people should have demanded more answers from their government before they supported the invasion and occupation of a foreign country. Some of the strongest supporters of the war declare that we are a Christian Nation, yet use their religious beliefs to justify the war. They claim it is our Christian duty to remake the Middle East and attack the Muslim infidels. Evidently I have been reading from a different Bible. I remember something about ''blessed are the peacemakers.''

My beliefs aside, Christian teaching of nearly a thousand years reinforces the concept of the ''Just War Theory.'' This Christian theory emphasizes six criteria needed to justify Christian participation in war. Briefly, the six points are as follows:

War should be fought only in self-defense.

War should be undertaken only as a last resort.

A decision to enter war should be made only by a legitimate authority.

All military responses must be proportional to the threat.

There must be a reasonable chance of success.

And a public declaration notifying all parties concerned is required.

The war in Iraq fails to meet almost all of these requirements. This discrepancy has generated anger and division within the Christian community. Some are angry because the war is being fought out of Christian duty, yet does not have uniform support from all Christians. Others are angry because they see Christianity as a religion of peace and forgiveness, not war and annihilation of enemies. Constitutional and moral restraints on wars should be strictly followed. It is understandable when kings, dictators and tyrants take their people into war since it serves their selfish interest and those sent to fight have no say in the matter. It is more difficult to understand why democracies and democratic legislative bodies, which have a say over the issue of war, so readily submit to the executive branch of government. The determined effort of the authors of our Constitution to firmly place the power to declare war in the legislative branch has been ignored in the decades following World War II.

Many Members have confided in me that they are quite comfortable with this arrangement. They flatly do not expect in this modern age to formally declare war ever again. Yet no one predicts there will be fewer wars fought. It is instead assumed that they will be ordered by the executive branch or the United Nations, a rather sad commentary.

What about the practical arguments against war, since no one seems interested in exerting constitutional or moral restraints? Why do we continue to fight prolonged, political wars when the practical results are so bad? Our undeclared wars since 1945 have been very costly, to put it mildly. We have suffered over 100,000 military deaths and even more serious casualties. Tens of thousands have suffered from serious war-related illnesses. Sadly, we as a nation express essentially no concern for the millions of civilian casualties in the countries where we fought.

The cost of war since 1945 and our military presence in over 100 countries since exceeds $2 trillion in today's dollars. The cost in higher taxes, debt and persistent inflation is immeasurable. Likewise, the economic opportunities lost by diverting trillions of dollars into war is impossible to measure, but it is huge. Yet our Presidents persist in picking fights with countries that pose no threat to us, refusing to participate in true diplomacy to resolve differences. Congress over the decades has never resisted the political pressures to send our troops abroad on missions that defy imagination.

When the people object to a new adventure, the propaganda machine goes into action to make sure critics are seen as unpatriotic Americans or even traitors. The military-industrial complex we were warned about has been transformed into a military-media-industrial-government complex that is capable of silencing the dissenters and cheerleading for the war. It is only after years of failure that people are able to overcome the propaganda for war and pressure their representatives in Congress to stop the needless killing. Many times the economic costs of war stir people to demand an end.

This time around, the war might be brought to a halt by our actual inability to pay the bills due to a dollar crisis. A dollar crisis will make borrowing $2.5 billion per day from foreign powers like China and Japan virtually impossible, at least at affordable interest rates. That is when we will be forced to reassess the spending spree, both at home and abroad.

The solution to this mess is not complicated, but the changes needed are nearly impossible for political reasons. Sound free market economics, sound money and a sensible foreign policy would all result from a strict adherence to the Constitution. If the people desired it, and the Congress was filled with responsible Members, a smooth although challenging transition could be achieved. Since this is unlikely, we can only hope that the rule of law and the goal of liberty can be reestablished without chaos. We must move quickly toward a more traditional American foreign policy of peace, friendship and trade with all nations, entangling alliances with none. We must reject the notion that we can or should make the world safe for democracy.

We must forget about being the world's policeman. We should disengage from the unworkable and unforgiving task of nation building. We must reject the notion that our military should be used to protect natural resources, private investments, or serve the interests of any foreign government or the United Nations. Our military should be designed for one purpose, defending our national security. It is time to come home now, before financial conditions or military weakness dictates it.

The major obstacle to a sensible foreign policy is the fiction about what patriotism means. Today, patriotism has come to mean blind support for the government and its policies. In earlier times, patriotism meant having the willingness and courage to challenge government policies regardless of popular perceptions. Today, we constantly hear innuendoes and direct insults aimed at those who dare to challenge current foreign policy, no matter how flawed that policy may be. I would suggest it takes more courage to admit the truth, to admit mistakes, than to attack others as unpatriotic for disagreeing with the war in Iraq.

□ 2145

Remember the original American patriots challenged the abuses of King George and wrote and carried out the Declaration of Independence. Yes, Mr. Speaker, there is a lot of anger in this country. Much of it is justified, some of it is totally unnecessary and misdirected. The only thing that can lessen this anger is an informed public.

A better understanding of economic principles, a rejection of foreign intervention, and a strict adherence to the Constitutional rule of law. This will be difficult to achieve. But it is not impossible and well worth the effort.

Mr. Speaker, I now would like to defer to one of our colleagues who has arrived on the floor and is going to participate in this special order, that is the gentleman from North Carolina. I alluded to the fact that looking for the truth was very important. And there is nobody in the Congress that surpasses this gentleman's effort to pursue the truth, and his willingness to take personal responsibility for what he has said, voted for in the past.

And this to me is so important, because his pursuit of truth I think is key. And the efforts that he has made here in the last couple of years I think is just critical, because he has been concerned specifically about information that we in the Congress were given in order to make our decision to deliver this authority to the President.

It is this pursuit of truth that I think is so critical, and I have such high regards for gentleman for doing this. At this time I would like to yield to the

gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Speaker, I want to thank you and the gentleman from Texas. I would like to say about the gentleman from Texas that he has been on the floor so many times talking about the economic future of this country and also taking about unjust wars.

I would like to tonight, in the few minutes I have, I would like to quote from Rudyard Kipling. It is called the Epitaphs of the War, 1914 to 1918.

Mr. Kipling at one time was a proponent of aggressive actions, but once his son was killed he seemed to change his thought, which is understandable. And I quote very quickly before I make my brief comments. ''If any question why we died, tell them because our fathers lied''.

I will leave it at that, Mr. Speaker. I think that speaks for itself. And that again was Rudyard Kipling, not me, Congressman WALTER JONES from North Carolina.

Along with my friend from Texas, I can tell you that I seek the truth. I came to this floor 3½ years ago, I cast my votes to give the President the authority to commit troops to Iraq.

I came to this floor. I was not sure that I was doing the right thing, but I hoped and prayed that I was. But since that time, because I do seek the truth, as my friend from Texas said, that I want to mention to you tonight just a few facts that I have uncovered.

Let me base some of this comment tonight on people I have met with in my office person to person, such as – Carl Ford, former CIA, Paul Pillar, former CIA for 31 years, Larry Wilkerson, Chief of Staff to Colin Powell, General Anthony Zinni, CENTCOM Commander for 3 years, General Gregory Newbold, General John Batiste, former Colonel Karen Kwiatowski, Ray McGovern, CIA, and former Colonel Sam Gardiner, Jim Bamford, author of Pretext for War, and John Landay and Warren Strobel, writers for Knight Ridder.

Tonight I want to start my brief comments with an article written by Gregory Newbold. General Newbold is a Marine General. He was part of J–3 at the Department of Defense prior to our going into war in Iraq. General Newbold is a very impressive man. He was a 2-star Marine General on the way to being a 3-star.

But I would like, with unanimous consent, to submit the whole article, it is a 3-page article in Time Magazine written by General Newbold, not by a writer at Time.

This is what he said in this article. ''I was a witness and therefore a party to the actions that led to the invasion of Iraq, an unnecessary war. Inside the military family I made no secret of my view that the zealots rationale for war made no sense. I think I was outspoken enough to make those senior to me uncomfortable.

But I now regret that I did not do more, openly challenge those who were determined to invade a country whose actions were peripheral to the real threat, al-Qaeda. I retired from the military 4 months before the invasion, in part because of my opposition to those who had used 9/11's tragedy to hijack our security policy. Until now I have resisted speaking out in public. I have been silent long enough''.

Mr. Speaker, I could quote more from General Newbold's article, but the RECORD will show this. I do not need to read more.

It is so sad to me that so many in our military and also our CIA saw what was happening in those who wanted to go to war in Iraq, but truthfully did not have the credibility or could prove what they were saying was a fact.

Just today, as a matter of fact, my good friend and Mr. PAUL's good friend from Missouri, IKE SKELTON is on the floor. I assume he will speak when we finish. We held hearings today on the Armed Services Committee. He is the ranking member.

This was to, if you will, to rally about the fact that we found 500 weapons known as munitions that Senator SANTORUM and Representative HOEKSTRA were saying, oh, this shows us that there was weapons of mass destruction. It just was not true. I do not mean to discredit them, but it was not true.

These weapons, according to the experts were probably in existence from 1984 to 1991. And as a matter of fact, today at our hearing, we had a former UN inspector, David Kay, Dr. David Kay. And I quoted this during the hearing today. Mr. Kay has said, when this announcement was made 2 weeks ago, and nobody at the administration was excited about it, and said, oh, this is the secret. This is what happened. This is why we went to war.

None of that was said. And certainly I have not heard a peep, if you will from Secretary Rumsfeld. But Dr. Kay said, well, I questioned this as far as being the weapons of mass destruction. And this is what he said, and I brought this out today, later on this afternoon.

I will quote this. He said, ''They probably would have been intended for chemical attacks during the Iran-Iraq war'', said Dr. Kay who headed the U.S. weapons hunting team in Iraq from 2003 until 2004.

He said, ''experts on Iraq's chemical weapons are in almost 100 percent agreement that Sarin nerve agents produced from the 1980s would no longer be dangerous''.

And I quote, and a quote Dr. David Kay, and I asked him about this today. And he said, yes, sir, this is what I said. ''It is less toxic than most things that Americans have under their kitchen sink at this point''. That is what he said.

And yet we have got those in the Congress who are just beating the drums of, this is what we are saying, this is the reason we went to war. We should never, under any circumstances, send American boys to die for this country unless we know the intelligence has been verified, verified, verified.

And I regret, and I said this Monday. I was invited by Senator DORGAN to sit on the Democratic Policy Committee's investigation of the Iraq war where they had three or four CIA agents there to testify.

And the Senator very kindly allowed me to sit at the dais. And I apologized that I did not ask the questions before we went into Iraq. I know knew better, but I did not at the time. I am not smarter, Mr. Speaker, but I am wiser, much wiser.

But I said today, as Frank Gaffney who was on the panel with Dr. Taylor, former UN inspector, and also Dr. David Kay. And Mr. Gaffney was saying, well, you know what we need to do is we need to get the President to speak more about the potential threat and this and that.

And I said, well, the problem is trust. The American people have to trust the Congress. They have to trust the administration, be it Democrat or Republican. I said to Mr. Gaffney, I said, I assume that an article in the London Times and the New York Times must be accurate, because I have heard no one dispute it, because if it is true, I would want to demand that I get 8 o'clock national TV to say this is not right, I will not accept it.

But this is what was said, just two quick points. This is by David Manning, who was Mr. Blair's chief foreign policy advisor at the time. Mr. Blair and Mr. Bush were meeting. This is about 6 months before we went into Iraq. And this is what Mr. Manning says, ''our diplomatic strategy had to be arranged around the military planning''.

He further stated, ''that at one point during this discussion between Mr. Blair and Mr. Bush, that it was said that Mr. Bush suggested that the U.S. might be able to have a U–2 reconnaissance aircraft, colored in the UN colors, followed by American fighters and fly it over Iraq and maybe Saddam Hussein would shoot it down. And if Saddam Hussein fired on them it would be a breach''.

He further stated that, ''maybe it would be possible to get someone to come in and testify that, yes, he has got weapons of mass destruction''.

Mr. Speaker, I bring this forward, I do not delight in challenging the administration. But I will tell you that when I go to Walter Reed, like many of my colleagues, both sides, and I never will forget a soldier 4 weeks ago, I was there with WAYNE GILCHREST, Mr. GILCHREST, a Member of Congress, was a Vietnam veteran. And he was wounded in Vietnam and spent 4 months at Walter Reed.

And we went to Walter Reed, and it was kind of nice to me, I am not a veteran, and for me to be able to say to the wounded, this is a Member of Congress, who like yourself spent 4 months in Walter Reed. He was wounded in

Vietnam fighting for his country. He is a Marine.

But I never will forget the fellow, Luke, and then I will yield back to the gentleman from Texas before we close. We were standing there and Luke's mom, Luke is from Florida, I do not have permission to use his last name so I will not use it.

Luke's mom and dad were there. We met them and shook hands. And Luke's mom never stopped crying. And she would not—it was just tears. It was not boo-hoo. But tears. So we talked to Luke. And Luke said, when we got ready to finish, and his girlfriend by the way, he is engaged now with a ring on her hand, he introduced us.

We got ready to leave. He said, Congressman, can I ask you a question? And we said certainly. He said, who is responsible for the stop loss program, where our men and women in uniform who have served their time in Iraq and Afghanistan are extended because of the fact that we are really short on replacements, to be honest about it.

And we said, the Department of Defense. They have the authority. He said, will you do me a favor when you go back to Congress? He said, I am just a sergeant. He said, tell them two or three things for me. We said, certainly. He said, first of all, my very best friend was killed 3 months after he was extended.

He said I was on my third tour of duty. He pulled the sheets down. His legs are gone, both legs are gone. He said, Congressman, my humble opinion is whether you are there 10 days or 10 years, you are not going to change the people of Iraq. It is a different culture. It is a different country.

Whether Luke will be right on that or wrong, I do not know. But why I am here tonight with my friend from Texas is that I have always regretted, since I voted for the resolution, because I should have asked more questions. I should have been more inquisitive. But I was not.

And I do have a pain. I have signed over 8,000 pieces of paper to families in this country. There have been over 2,500 killed. And when you factor in their extended families, we have signed over 8,000 pages. It requires, it is a two-page letter. It requires my signature on one page and the second page also.

I have done that because my heart aches, the fact that I did not question. And yet, I want this Congress, both Democrat and Republican, as my friend from Texas said just a few minutes ago, we have an oversight responsibility to say how and why were we given information that was not credible?

Why were we given intelligence that had not been verified three times before we sent American kids to give their life and their limbs for this country.

So with that, Mr. Speaker, I want to yield back to the gentleman from Texas and thank him for giving me a few minutes to share my thoughts with the American people, and to say that I will continue, Congressman PAUL, to seek the truth. Because this democracy will not survive unless the American people know the truth. Whether it is good or bad, we must know the truth. Thank you, sir.

[From Time Magazine, Apr. 9, 2006]

WHY IRAQ WAS A MISTAKE

(By Lieut. General Greg Newbold (Ret.))

Two senior military officers are known to have challenged Defense Secretary Donald Rumsfeld on the planning of the Iraq war. Army General Eric Shinseki publicly dissented and found himself marginalized. Marine Lieut. General Greg Newbold, the Pentagon's top operations officer, voiced his objections internally and then retired, in part out of opposition to the war. Here, for the first time, Newbold goes public with a full-throated critique:

In 1971, the rock group The Who released the antiwar anthem ''Won't Get Fooled Again.'' To most in my generation, the song conveyed a sense of betrayal by the nation's leaders, who had led our country into a costly and unnecessary war in Vietnam. To those of us who were truly counterculture—who became career members of the military during those rough times—the song conveyed a very different message. To us, its lyrics evoked a feeling that we must never again stand by quietly while those ignorant of and casual about war lead us into another one and then mismanage the conduct of it. Never again, we thought, would our military's senior leaders remain silent as American troops were marched off to an ill-considered engagement. It's 35 years later, and the judgment is in: the Who had it wrong. We have been fooled again.

From 2000 until October 2002, I was a Marine Corps lieutenant general and director of operations for the Joint Chiefs of Staff. After 9/11, I was a witness and therefore a party to the actions that led us to the invasion of Iraq—an unnecessary war. Inside the military family, I made no secret of my view that the zealots' rationale for war made no sense. And I think I was outspoken enough to make those senior to me uncomfortable. But I now regret that I did not more openly challenge those who were determined to invade a country whose actions were peripheral to the real threat—al-Qaeda. I retired from the military four months before the invasion, in part because of my opposition to those who had used 9/11's tragedy to hijack our security policy. Until now, I have resisted speaking out in public. I've been silent long enough.

I am driven to action now by the missteps and misjudgments of the White House and the Pentagon, and by my many painful visits to our military hospitals. In those places, I have been both inspired and shaken by the broken bodies but unbroken spirits of soldiers, Marines and corpsmen returning from this war. The cost of flawed leadership continues to be paid in blood. The willingness of our forces to shoulder such a load should make it a sacred obligation for civilian and military leaders to get our defense policy right. They must be absolutely sure that the commitment is for a cause as honorable as the sacrifice.

With the encouragement of some still in positions of military leadership, I offer a challenge to those still in uniform: a leader's responsibility is to give voice to those who can't—or don't—have the opportunity to speak. Enlisted members of the armed forces swear their oath to those appointed over them; an officer swears an oath not to a person but to the Constitution. The distinction is important.

Before the antiwar banners start to unfurl, however, let me make clear—I am not opposed to war. I would gladly have traded my general's stars for a captain's bars to lead our troops into Afghanistan to destroy the Taliban and al-Qaeda. And while I don't accept the stated rationale for invading Iraq, my view—at the moment—is that a precipitous withdrawal would be a mistake. It would send a signal, heard around the world, that would reinforce the jihadists' message that America can be defeated, and thus increase the chances of future conflicts. If, however, the Iraqis prove unable to govern, and there is open civil war, then I am prepared to change my position.

I will admit my own prejudice: my deep affection and respect are for those who volunteer to serve our nation and therefore shoulder, in those thin ranks, the nation's most sacred obligation of citizenship. To those of you who don't know, our country has never been served by a more competent and professional military. For that reason, Secretary of State Condoleezza Rice's recent statement that ''we'' made the ''right strategic decisions'' but made thousands of ''tactical errors'' is an outrage. It reflects an effort to obscure gross errors in strategy by shifting the blame for failure to those who have been resolute in fighting. The truth is, our forces are successful in spite of the strategic guidance they receive, not because of it.

What we are living with now is the consequences of successive policy failures. Some of the missteps include: the distortion of intelligence in the buidup to the war, McNamara-like micromanagement that kept our forces from having enough resources to do the job, the failure to retain and reconstitute the Iraqi military in time to help quell civil disorder, the initial denial that an insurgency was the heart of the opposition to occupation, alienation of allies who could have helped in a more robust way to rebuild Iraq, and the continuing failure of the other agencies of our government to commit assets to the same degree as the Defense Department. My sincere view is that the commitment of our forces to this fight was done with a casualness and swagger that are the special province of those who have never had to execute these missions—or bury the results.

Flaws in our civilians are one thing; the failure of the Pentagon's military leaders is quite another. Those are men who know the hard consequences of war but, with few exceptions, acted timidly when their voices urgently needed to be heard. When they knew the plan was flawed, saw intelligence distorted to justify a rationale for war, or witnessed arrogant micromanagement that at times crippled the military's effectiveness, many leaders who wore the uniform chose inaction. A few of the most senior officers actually supported the logic for war. Others were simply intimidated, while still others must have believed that the principle of obedience does not allow for respectful dissent. The consequence of the military's quiescence was that a fundamentally flawed plan was executed for an invented war, while pursuing the real enemy, al-Qaeda, became a secondary effort.

There have been exceptions, albeit uncommon, to the rule of silence among military leaders. Former Army Chief of Staff General Shinseki, when challenged to offer his professional opinion during prewar congressional testimony, suggested that more troops might be needed for the invasion's aftermath. The Secretary and Deputy Secretary of Defense castigated him in public and marginalized him in his remaining months in his post. Army GEN John Abizaid, head of Central Command, has been forceful in his views with appointed officials on strategy and micromanagement of the fight in

Iraq—often with success. Marine Commandant GEN Mike Hagee steadfastly challenged plans to underfund, understaff and underequip his service as the Corps has struggled to sustain its fighting capability.

To be sure, the Bush Administration and senior military officials are not alone in their culpability. Members of Congress—from both parties—defaulted in fulfilling their constitutional responsibility for oversight. Many in the media saw the warning signs and heard cautionary tales before the invasion from wise observers like former Central Command chiefs Joe Hoar and Tony Zinni but gave insufficient weight to their views. These are the same news organizations that now downplay both the heroic and the constructive in Iraq.

So what is to be done? We need fresh ideas and fresh faces. That means, as a first step, replacing Rumsfeld and many others unwilling to fundamentally change their approach. The troops in the Middle East have performed their duty. Now we need people in Washington who can construct a unified strategy worthy of them. It is time to send a signal to our Nation, our forces and the world that we are uncompromising on our security but are prepared to rethink how we achieve it. It is time for senior military leaders to discard caution in expressing their views and ensure that the President hears them clearly. And that we won't be fooled again.

□ 2200

Mr. PAUL. I thank the gentleman, and I certainly appreciate your contribution. And I certainly appreciate your character, because you have been willing to admit something and change your position, which is sometimes very, very difficult for most people.

I have, of course, great concern, as I expressed earlier, about the war that is going on. But war in general is so dangerous to the cause of liberty, because it is in time of war that people are more willing to sacrifice their liberties. Today, we are told constantly that we have to do such-and-such here in this country because we are at war. Yet, we haven't declared a war. The war has not been declared.

We went to war without a declaration. And instead of being precise on just who the enemy is, we have a war against terrorism, yet terrorism is nothing more than a technique. There are all kinds of terror, terrorist acts, and all kinds of different people. So you really can't have a war against terrorism. So we should be much more precise.

But why I have, for as long as I can remember, been preaching the doctrine of the Founding Fathers on foreign policy is because I think it would be so much better for us. We would fight fewer wars, we would be a lot wealthier, there would be a lot less killing, and it would be so much better for us, and that is simply a policy of nonintervention. And as I stated in my prepared remarks, this is a good moral position, it is a good constitutional position, and it is a good practical position.

Wars that are fought indiscriminately and without declaration and without everybody being together and fighting for a quick victory, they linger and they just never have good resolve. And that is essentially what has happened since World War II. So I will continue to talk about nonintervention. I believe my allies, the Founding Fathers of this country, and the Constitution, should be enough reason for everybody to at least give consideration to nonintervention.

And I am convinced that our liberties would be better protected, our financial circumstances would be so much better off, and certainly we wouldn't have the burden and the heavy heart that Mr. JONES certainly bears about seeing so many young people needlessly losing their legs and dying in a battle that is so difficult to understand and has not come to resolve.

## MORTGAGING THE FUTURE OF THE MILITARY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Missouri (Mr. SKELTON) is recognized for 60 minutes.

Mr. SKELTON. I thank the Speaker for recognizing me this evening.

I wish to speak tonight about the United States military. I have the privilege of serving as the ranking member on the Armed Services Committee here in the House of Representatives. I wish to speak about mortgaging the future of our military.

In particular, I want to talk about the Army, the United States Army. That wonderful institution that has contributed so much to American freedom, has meant so much to us historically, and yet I feel that I must discuss and tell my colleagues this evening about the future of our military and how it is being strained in so many respects.

I want to talk about two of the elements of military. In particular, I want to talk about the Army. This is true also of the Marine Corps, but I will discuss mostly the Army.

The continuous deployment in Iraq hurts our military personnel and their families by straining the recruiting and retention; it damages our readiness for our mission skills outside those required for Iraq. As we all know, we have lost some 2,529 servicemembers killed in Iraq. We have over 18,000 wounded, with near 8,500 of those unable to return to duty.

Regarding the active duty of the United States Army, over 14 percent of the Army active duty force is currently deployed in Iraq. The quality of recruits has fallen in the United States Army, as greater numbers of high school dropouts and other category IV recruits, the lowest level of recruit, have been increasing. Additionally, the number of soldiers who score below the 50th percentile in the Armed Forces Qualification Test has been increasing.

For the past several years, the Army has reduced the minimum time-in-grade requirements for promotion to captain from 24 months to 18 months. It takes 38 months for a lieutenant to become a captain compared to 42 months just 2 years ago.

One hundred percent of the Army's available active duty combat brigades have served at least a 12-month tour in Iraq or Afghanistan. At least 50 percent of those combat brigades have completed their second tour in Iraq or Afghanistan.

Regarding the Selected Reserves, more than 20 percent of those currently deployed in Iraq are members of the Selected Reserves. That is the Guard and the Reserves. Over 39 percent of the Selected Reserves have been mobilized since September 11. Nearly 20 percent of those mobilized have been deployed two or more times. In fact, 13,800 members of the Selected Reserves have had three deployments, and 10,400 have been deployed more than three times.

Currently, 45 percent of the Selected Reserves mobilized are deployed. Ninety-seven percent of the National Guard's combat and special operation battalions have been mobilized since September 11. The average tour of duty for National Guard members is 342 days.

Regarding recruiting and retention, by 2007, the Army projects that it will be short 3,500 active duty officers, primarily captains and majors. The percentage of officers leaving the Army has been increasing since 2004. Approximately 3,500 airmen are currently performing Army missions, and the Navy is also being asked to assume greater responsibilities in the Iraq theatre.

While the majority of the service components are currently meeting their recruitment goals, last year five components failed to meet their enlistment accession goals. The Army began the fiscal year 2006 with a delayed entry program of 12 percent, which is a 5 percent reduction from fiscal year 2005, and it is significantly below the 46 percent that was at the beginning of fiscal year 2003.

The cost of recruiting has increased tremendously in fiscal year 2005. Active and Reserve components spent $3 billion on recruiting programs. The cost of retention has increased as well in fiscal year 2005. Active and Reserve components spent $1.5 billion on retention bonuses, this compared to $885 million spent in fiscal year 2004.

Next, let us discuss the equipment issues. Equipment readiness is falling, and Iraq seems to be a black hole for all available equipment. Forty percent of the Army and Marine Corps ground equipment is deployed to Iraq. Equipment in Iraq is wearing out two to nine times the peacetime rate. Some equipment has added as much as 27 years' worth of wear and tear in the last 3 years.

A Humvee designed for 14 years of operation needs overhaul or replacement in just 3 years. Additional armor added to protect troops is causing accelerated aging and has increased the number of rollover accidents. The Army has lost

over 100 helicopters since 9/11. Many of those lost helicopters have not been replaced. It took 4 years to replace the first helicopter that was lost in 2001. The Army has lost over 100 tanks and armored vehicles and over 1,000 vehicles since the start of the war.

Readiness trends for active units are falling, and nondeployed units are severely degraded.

□ 2210

Nearly all of the nondeployed Army units are suffering degraded readiness, with unprecedented numbers of units reporting at the lowest levels of mission capability. Units preparing to deploy for Iraq are being issued equipment. In many cases this equipment arrives right before deployment. This limits the training opportunities for units returning to combat.

Regarding their pre-positioned equipment, let us speak about that. Much of it is no longer pre-positioned. Pre-positioned equipment stocks have been seriously depleted to support the war in Iraq.

Nearly 40 percent of the Marine Corps positioned to afloat ships have been downloaded. The Army plans to download one of the two afloat brigades to supply more equipment to Iraq. These afloat brigades are used to rapidly provide heavy combat equipment to contingency missions. Afloat brigades reduce deployment time from months to days. This plan is accepting significant strategic risk that will affect force protection capability.

Let us speak about the National Guard equipment. The National Guard only has about 34 percent of its equipment on hand, down from 75 percent of its requirement in 2001. The missing equipment that has been left in Iraq is transferred to units deploying to Iraq. According to the National Guard, reserve equipment for fiscal year 2007, the Army National Guard has been directed to transfer more than 75,000 pieces of equipment valued at $1.7 billion to the Army to support Operation Iraqi Freedom.

There is no plan to replace these items. This lack of equipment at home hinders the Guard's ability to train and adversely affects their ability to be comparable with active component units. Examples of shortages, the North Carolina 30th Brigade Combat Team returned from Iraq in 2005. The unit had left 229 HUMVEES or 73 percent of its predeployment inventory of those vehicles in Iraq.

Regarding repairing all of this damage, it is costly. The Army has at least a $36 billion bill to repair and replace equipment. In fiscal year 2006, the Army will spend $13.5 billion this year to repair and replace battle damage and losses from Iraq.

This isn't a full accounting of all losses, because some items such as helicopters, cannot be replaced because they are no longer in production.

The Army estimates that $17 billion will be required for 2007. If the war in Iraq ended today, the Army would require 2 years of supplemental appropriations for somewhere between $24 and $36 billion. Unfortunately, it will take much more than 2 years to repair or replace that equipment. The Army will not be made whole again for many years.

General Hagee of the Marine Corps reported that it has taken 2 years to produce replacement light armored vehicles from placement of the order until delivery. Army modernization and transformation has slowed due to funding pressures of the war in Iraq. Depots are not operating at full capacity. They are capable of producing 57 million hours of direct labor but are currently estimated at providing about 19 million hours of labor.

According to the Army's Tank and Automotive Command, the Army cannot afford to do full overhauls on its ground equipment and has made a decision to perform reduced scope repairs.

By the way, the Marine Corps has incurred a bill of some $12 billion to date to reset its equipment.

In 2006, 19 brigade combat teams will return from Iraq. Their equipment is some 600 combat vehicles, 30,000 wheeled vehicles and 615 aircraft, and they will require 24 million hours of direct labor or repair. This will be quite a challenge for the Army, considering that the Army has still not repaired all of the vehicles deployed to Operation Iraqi Freedom, which returned home in 2004.

By the way, the Marine Corps has determined that equipment deployed to air has suffered such significant damage and wear and tear and that 80 percent of it will need to be replaced.

Regarding the budget pressures affecting everything in the Department of Defense, it goes to make up for budget shortfalls.

The Army reduced its base operation support budget. Some of the cuts, such as cuts to childcare facilities, directly affect military quality of life and make it more difficult for already stressed military families to get by.

The Navy only partially funded its deployed steaming days in the President's budget. The budget included a request for only 36 of the 51 required steaming days for Navy ships, a shortfall of $120 billion.

The Navy ship program was underfunded. The shipping program was underfunded by the President's budget request by $119 million this year, bringing the total deferred maintenance bill for Navy ships to $240 million.

Army modernization is being slowed. The Air Force's fleet of aircraft is aging, and we are not replacing them fast enough. The average age for Air Force aircraft is over 23 years. Some aircraft are over 50 years old. Would one feel safe to be in a 50-year-old commercial airplane? Do we feel we want to have a 50-year-old plane defending our Nation?

Regarding readiness ratings, they continued to fall. Very few nondeployed units here in the continental United States are rated fully mission capable. Readiness in Iraq remains high, but it is coming on the back of the reset of the Army and Marine Corps. Units in the continental United States are short of equipment having to get additional parts and are sending additional equipment into the fight.

Units are training for Iraq without all of their required equipment. They are getting well only upon arrival in Iraq.

Readiness within the force services is poor across the board, and it continues to trend down. Mostly, this is due to the equipment as well as personnel issues.

When asked if he was comfortable with the readiness of the Army outside of Iraq and Afghanistan, General Schoomaker, the Chief of Staff of the Army, replied no.

Why do I make these comments? Because, under the Constitution of the United States, it is up to us to raise and maintain the military, the wonderful military of the United States. I spoke mostly, of course, this evening about the Army, the United States Army, that magnificent institution whose history is that of protecting freedom; and so much glory is due to those that wore the uniform from the days of our Revolution down to today, and I am so proud of them.

But we in Congress need to take heed of the personnel challenges. We need to take heed of the equipment challenges. We need to do so, and I bring this to the attention of this body, because it is the right thing to do for our country and for the wonderful military and those who wear the uniform of our country.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GERLACH (at the request of Mr. BOEHNER) for today on account of inspecting flood damage in his district.

Mr. MANZULLO (at the request of Mr. BOEHNER) for today until noon on account of family illness.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. UDALL of New Mexico, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. CONYERS, and to include therein extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $2,642.

## SENATE BILL REFERRED

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

S.J. Res. 40. Joint resolution authorizing the printing and binding of a supplement to, and revised edition of, Senate Procedure; to the Committee on House Administration.

## ENROLLED BILLS SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 889. An act to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes.

H.R. 4912. An act to amend section 242 of the National Housing Act to extend the exemption for critical access hospitals under the FHA program for mortgage insurance for hospitals.

## ADJOURNMENT

Mr. SKELTON. Mr. Speaker, pursuant to House Concurrent Resolution 440, 109th Congress, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to House Concurrent Resolution 440, 109th Congress, the House stands adjourned until 2 p.m. on Monday, July 10, 2006.

Thereupon (at 10 o'clock and 19 minutes p.m.), pursuant to House Concurrent Resolution 440, the House adjourned until Monday, July 10, 2006, at 2 p.m.

## EXECUTIVE COMMUNICATIONS, ETC.

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

8333. A letter from the Senior Program Specialist, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule—Food Stamp Program; Employment and Training Program Provisions of the Farm Security and Rural Investment Act of 2002 (RIN: 0584-AD32) received June 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8334. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule—Appeal Procedures (RIN: 0560-AG88) received June 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8335. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule—2005 Section 32 Hurricane Disaster Programs (RIN: 0560-AH45) received June 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8336. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule—Grains and Similarly Handled Commodities-Marketing Assistance Loans and Loan Deficiency Payments for the 2006 Through 2007 Crop Years; Cotton (RIN: 0560-AH38) received June 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8337. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule—Emergency Conservation Program (RIN: 0560-AH43) received June 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8338. A letter from the Director, Regulatory Review Group, Department of Agriculture, transmitting the Department's final rule—Conservation Reserve Program—Emergency Forestry Conservation Reserve Program (RIN: 0560-AH44) received June 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8339. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Pine Shoot Beetle; Additions to Quarantined Areas; Wisconsin [Docket No. APHIS-2006-0039] received June 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8340. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—States Approved to Receive Stallions and Mares from CEM-Affected Regions; Indiana [Docket No. APHIS-2006-0020] received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8341. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Importation of Fruits and Vegtables; Untreated Citrus from Mexico [Docket No. 03-048-3] received June 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8342. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Citrus Canker; Compensation for Certified Citrus Nursery Stock [Docket No. APHIS-2006-0033] (RIN: 0579-AC05) received June 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8343. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—National Organic Program—Revisions to Livestock Standards Based on Court Order (Harvey v. Johanns) and 2005 Amendment to the Organic Foods Production Act of 1990 (OFPA) [Docket Number: TM-06-06-FR] (RIN: 0581-AC60) received June 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8344. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—Melons Grown in South Texas; Termination of Marketing Order 979 [Docket No. FV06-979-1 FR] received June 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8345. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—Watermelon Research and Promotion Plan; Redistricting [Doc. No. FV-05-704-IFR] received June 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8346. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—Vidalia Onions Grown in Georgia; Revision of Reporting and Assessment Requirements [Docket No. FV06-955-1 IFR] received June 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8347. A communication from the President of the United States, transmitting a request for a FY 2006 fully offset proposal to provide additional funds for the Information Technology Systems account within the Department of Veterans Affairs; (H. Doc. No. 109-120); to the Committee on Appropriations and ordered to be printed.

8348. A letter from the Chief, Policy & Program Development Branch, CND, Department of Agriculture, transmitting the Department's final rule—Disregard of Overpayments in the Child and Adult Care Food Program, National School Lunch Program and School Breakfast Program (RIN: 0584-AD68) received June 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8349. A letter from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—National Institute on Disability and Rehabilitation Research—Disability and Rehabilitation Research Projects and Centers Program—Disability Rehabilitation Research Projects (DRRPs); Funding Priorities—received June 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8350. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Lakeview PM10 Maintenance Plan and Redesignation Request [EPA-R10-OAR-2006-0010; FRL-8179-5] received June 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8351. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; La Grande PM10 Maintenance Plan and Redesignation Request [EPA-R10-OAR-2006-0050; FRL-8179-6] received June 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8352. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Medford-Ashland PM10 Attainment Plan, Maintenance Plan and Redesignation Request [EPA-R10-OAR-2006-0316; FRL-8175-7] received June 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8353. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Outer Continental Shelf Air

Regulations Consistency Update for California [OAR-2004-0091; FRL-8052-3] received June 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8354. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2006-0281; FRL-8182-2] received June 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8355. A letter from the Director, Office of Personnel Management, transmitting a report on the Physicians' Comparability Allowance Program for fiscal year 2006, pursuant to 5 U.S.C. 5948(j); to the Committee on Government Reform.

8356. A letter from the Secretary, Department of Commerce, transmitting the Inspector General's semiannual report to Congress for the reporting period October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8357. A letter from the Assistant Secretary for Administration & Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8358. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8359. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8360. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8361. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8362. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

8363. A letter from the Chair, Equal Employment Opportunity Commission, transmitting the semiannual report on the activities of the Inspector General and management's report for the period ending March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8364. A letter from the Equal Employment Opportunity Director, Farm Credit Administration, transmitting the Administration's Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 for Fiscal Year 2005; to the Committee on Government Reform.

8365. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 2005, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

8366. A letter from the Executive Vice President, Financial Information Group, Federal Home Loan Bank of Chicago, transmitting the 2005 management report and statements on system of internal controls of the Federal Home Loan Bank of Chicago, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

8367. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's semiannual report on the activities of the Office of Inspector General for the period October 1, 2005 to March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

8368. A letter from the Acting Administrator, General Services Administration, transmitting the Administration's thirty-fourth report on audit final action, as well as the semiannual report on the Office of Inspector General for the period October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8369. A letter from the Chairman, National Credit Union Administration, transmitting the 2005 Annual Report of the National Credit Union Administration, pursuant to 12 U.S.C. 1256; to the Committee on Government Reform.

8370. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the semiannual report on the activities of the Office of Inspector General of the National Labor Relations Board for the period October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

8371. A letter from the Director, Peace Corps, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8372. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's Government Performance and Results Act Strategic Plan for 2004-2009, pursuant to the Government Performance and Results Act of 1993; to the Committee on Government Reform.

8373. A letter from the Commissioner, Social Security Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 5417. A bill to amend the Clayton Act with respect to competitive and nondiscriminatory access to the Internet; with an amendment (Rept. 109–541). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4019. A bill to amend title 4 of the United States Code to clarify the treatment of self-employment for purposes of the limitation on State taxation of retirement income; with an amendment (Rept. 109–542). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARTON of Texas: Committee on Energy and Commerce. H.R. 2730. A bill to establish a grant program to fund eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, and for other purposes (Rept. 109–543). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

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

By Mr. PORTER (for himself and Mr. CHABOT):

H.R. 5710. A bill to reauthorize the Office of Government Ethics, and for other purposes; to the Committee on Government Reform, 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. NORTON (for herself and Mr. TOM DAVIS of Virginia):

H.R. 5711. A bill to permit the Joint Committee on Judicial Administration in the District of Columbia to establish a program of voluntary separation incentive payments for nonjudicial employees of the District of Columbia courts; to the Committee on Government Reform.

By Mr. FRANK of Massachusetts (for himself, Mr. KANJORSKI, and Mr. CAPUANO):

H.R. 5712. A bill to amend the Investment Advisers Act of 1940 to authorize the Commission to require the registration of hedge fund advisers under that Act; to the Committee on Financial Services.

By Mr. HYDE:

H.R. 5713. A bill to pursue a policy of weighted voting with respect to the budgets of the United Nations; to the Committee on International Relations.

By Mr. THOMPSON of Mississippi (for himself, Ms. CORRINE BROWN of Florida, Ms. JACKSON-LEE of Texas, Ms. NORTON, Mr. LANGEVIN, and Mrs. CHRISTENSEN):

H.R. 5714. A bill to improve the security of rail and public transportation systems in the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself and Mr. HUNTER):

H.R. 5715. A bill to make amendments to the Reclamation Projects Authorization and Adjustment Act of 1992; to the Committee on Resources.

By Mr. LYNCH:

H.R. 5716. A bill to establish the Commission on Iraqi Transition; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIRK (for himself and Mr. ROTHMAN):

H.R. 5717. A bill to amend the Elementary and Secondary Education Act of 1965 to clarify Federal requirements under that Act; to the Committee on Education and the Workforce.

By Mr. HAYES:

H.R. 5718. A bill to amend the Trade Act of 1974 with respect to the trade adjustment assistance program, and for other purpose; to the Committee on Ways and Means.

By Mr. WELDON of Florida (for himself and Mr. DEAL of Georgia):

H.R. 5719. A bill to amend the Public Health Service Act to prohibit the solicitation or acceptance of tissue from fetuses gestated for research purposes, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BROWN of South Carolina (for himself, Mr. SPRATT, Mr. RUPPERSBERGER, Mr. BARRETT of South Carolina, and Mr. WILSON of South Carolina):

H.R. 5720. A bill to improve maritime and cargo security, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. GALLEGLY, and Mr. CARDOZA):

H.R. 5721. A bill to amend the Consolidated Omnibus Budget Reconciliation Act of 1985 to expand the county organized health insuring organizations authorized to enroll Medicaid beneficiaries; to the Committee on Energy and Commerce.

By Mr. CHANDLER (for himself and Mr. KENNEDY of Minnesota):

H.R. 5722. A bill to prevent the abuse and exploitation of older individuals; to the Committee on the Judiciary.

By Mr. CHANDLER:

H.R. 5723. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating the site of Camp Nelson War Heritage Park in Jessamine County, Kentucky, as a unit of the National Park System, and for other purposes; to the Committee on Resources.

By Mr. COSTELLO (for himself, Mr. SHIMKUS, Mr. LIPINSKI, Mr. GUTIERREZ, Mr. KIRK, Mr. EVANS, Mr. LAHOOD, Mr. EMANUEL, Mr. JACKSON of Illinois, Mr. WELLER, Ms. BEAN, Mr. RUSH, Ms. SCHAKOWSKY, Mr. JOHNSON of Illinois, Mr. DAVIS of Illinois, Mrs. BIGGERT, and Mr. MANZULLO):

H.R. 5724. A bill to establish the Land Between the Rivers National Heritage Area in the State of Illinois, and for other purposes; to the Committee on Resources.

By Mr. CRENSHAW (for himself and Mr. BOYD):

H.R. 5725. A bill to amend the Florida National Forest Land Management Act of 2003 to authorize the conveyance of an additional tract of National Forest System land under that Act, and for other purposes; to the Committee on Agriculture.

By Mrs. JO ANN DAVIS of Virginia (for herself, Mr. WEXLER, Mr. PAUL, and Mr. PITTS):

H.R. 5726. A bill to reform Federal procedures relating to intercountry adoption; 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. DEGETTE:

H.R. 5727. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to improve the safety of meat and poultry products by enhancing the ability of the Secretary of Agriculture to retrieve the history, use, and location of a meat or poultry product through a recordkeeping and audit system or registered identification, and for other purposes; to the Committee on Agriculture.

By Ms. DEGETTE (for herself and Mr. WALDEN of Oregon):

H.R. 5728. A bill to amend titles XIX and XXI of the Social Security Act to provide States with the option to expand or add coverage of pregnant women under the Medicaid and State children's health insurance programs, and for other purposes; to the Committee on Energy and Commerce.

By Ms. DEGETTE:

H.R. 5729. A bill to amend the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Federal Food, Drug, and Cosmetic Act to provide for improved public health and food safety through enhanced enforcement, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. MCCOTTER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. WEXLER, Ms. BORDALLO, and Mrs. JO ANN DAVIS of Virginia):

H.R. 5730. A bill to designate Poland, Hungary, the Czech Republic, Estonia, Latvia, and Lithuania as program countries under the visa waiver program established under section 217 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. AL GREEN of Texas (for himself, Mr. WATT, Mr. HONDA, Mrs. NAPOLITANO, Mr. GEORGE MILLER of California, Mr. PASTOR, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BACA, Mr. REYES, Mr. BECERRA, Mr. ORTIZ, Mr. SCOTT of Georgia, Mr. WYNN, Ms. ROYBAL-ALLARD, Ms. LEE, Mr. HASTINGS of Florida, Ms. MILLENDER-MCDONALD, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. DAVIS of Illinois, Mr. MEEKS of New York, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Mr. CLAY, Mr. TOWNS, Ms. CORRINE BROWN of Florida, Ms. KILPATRICK of Michigan, Mr. OWENS, Ms. LORETTA SANCHEZ of California, Mr. CLEAVER, Ms. LINDA T. SÁNCHEZ of California, Ms. SOLIS, Mr. HINOJOSA, Mr. GONZALEZ, Ms. WATSON, Mr. CARDOZA, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. SERRANO, Mr. THOMPSON of Mississippi, Mrs. JONES of Ohio, Ms. MCKINNEY, Mr. DAVIS of Alabama, Mr. RANGEL, Mr. CONYERS, and Mr. CLYBURN):

H.R. 5731. A bill to amend the Fair Labor Standards Act to provide for the calculation of the minimum wage based on the Federal poverty guidelines published by the Department of Health and Human Services; to the Committee on Education and the Workforce.

By Mr. HASTINGS of Washington (for himself, Mr. LARSEN of Washington, Mr. DICKS, and Miss MCMORRIS):

H.R. 5732. A bill to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area; to the Committee on Resources.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. YOUNG of Alaska, Mr. WYNN, Mrs. MCCARTHY, Ms. SOLIS, Mr. SCHWARZ of Michigan, Mr. BROWN of Ohio, and Mrs. CHRISTENSEN):

H.R. 5733. A bill to ensure Pell Grant eligibility for any student whose parent or guardian died as a result of performing military service in Iraq or Afghanistan after September 11, 2001; to the Committee on Education and the Workforce.

By Mr. KIRK (for himself and Mr. LIPINSKI):

H.R. 5734. A bill to amend the Federal Water Pollution Control Act to establish a deadline for restricting sewage dumping into the Great Lakes and to fund programs and activities for improving wastewater discharges into the Great Lakes; to the Committee on Transportation and Infrastructure.

By Mrs. MALONEY (for herself and Mr. VAN HOLLEN):

H.R. 5735. A bill to require the implementation of the Defense Incident-Based Reporting System; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida (for himself, Mr. HASTINGS of Florida, Mr. MARIO DIAZ-BALART of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. FOLEY, Ms. HARRIS, Mr. DAVIS of Florida, Mr. KELLER, Mr. CRENSHAW, Mr. LINCOLN DIAZ-BALART of Florida, Mr. STEARNS, Mr. MACK, Mr. MEEK of Florida, Mr. FEENEY, Mr. PUTNAM, Mr. BILIRAKIS, Ms. ROS-LEHTINEN, Mr. SHAW, Mr. BOYD, Ms. WASSERMAN SCHULTZ, Ms. CORRINE BROWN of Florida, Mr. WELDON of Florida, Mr. WEXLER, Mr. YOUNG of Florida, and Mr. MICA):

H.R. 5736. A bill to designate the facility of the United States Postal Service located at 101 Palafox Place in Pensacola, Florida, as the ''Vincent J. Whibbs, Sr. Post Office Building''; to the Committee on Government Reform.

By Ms. NORTON:

H.R. 5737. A bill to restore the authority of the Federal Trade Commission to issue regulations on marketing and advertising to children; to the Committee on Energy and Commerce.

By Mr. PASCRELL (for himself, Mr. PLATTS, Mr. ANDREWS, Mr. BOSWELL, Mr. BOUCHER, Mr. BOYD, Mr. BRADY of Pennsylvania, Mr. BROWN of South Carolina, Mr. BROWN of Ohio, Mr. CAPUANO, Mr. CLEAVER, Mr. TOM DAVIS of Virginia, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mrs. DRAKE, Mr. EMANUEL, Mr. ETHERIDGE, Mr. FARR, Mr. GOODE, Mr. GENE GREEN of Texas, Mr. HAYES, Ms. HERSETH, Mr. HIGGINS, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOLDEN, Mr. HOLT, Mr. INGLIS of South Carolina, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KUHL of New York, Mr. LOBIONDO, Mr. MARKEY, Mrs. MCCARTHY, Mr. MCCOTTER, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNULTY, Mr. MEEKS of New York, Mr. MILLER of Florida, Mr. MORAN of Virginia, Mr. NADLER, Mr. NEAL of Massachusetts, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Mr. RUPPERSBERGER, Mr. SANDERS, Mr. SAXTON, Ms. SCHWARTZ of Pennsylvania, Mr. STRICKLAND, Mr. TOWNS, Mr. VAN HOLLEN, Mr. WAXMAN, Mr. WEXLER, Ms. WOOLSEY, Mr. WYNN, and Mr. GRIJALVA):

H.R. 5738. A bill to amend the Public Health Service Act to provide for the expansion and improvement of traumatic brain injury programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PAUL (for himself, Mr. TANCREDO, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. SULLIVAN, and Mr. DUNCAN):

H.R. 5739. A bill to limit the jurisdiction of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Ms. PRYCE of Ohio (for herself, Mr. KIRK, Mrs. JOHNSON of Connecticut, Mr. MCCAUL of Texas, Mr. COLE of Oklahoma, Mr. DUNCAN, Mrs. DRAKE, and Mr. MARCHANT):

H.R. 5740. A bill to remove the 18 or 36 month limitation on the period of COBRA

continuation coverage; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, Ways and Means, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H.R. 5741. A bill to amend section 245(i) of the Immigration and Nationality Act to eliminate the deadline for classification petition and labor certification filings; to the Committee on the Judiciary.

By Mr. REYES:

H.R. 5742. A bill to establish the Southwest Regional Border Authority; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Wisconsin (for himself, Mr. CANTOR, and Ms. HART):

H.R. 5743. A bill to amend the Internal Revenue Code of 1986 to improve and expand the availability of health savings accounts, and for other purposes; to the Committee on Ways and Means.

By Mr. SHADEGG (for himself, Mr. HOEKSTRA, Mr. TIAHRT, Mr. MCCAUL of Texas, Mr. SHIMKUS, Mr. PENCE, Mr. DOOLITTLE, Mr. FLAKE, Mr. CAMPBELL of California, and Mr. CONAWAY):

H.R. 5744. A bill to amend the Immigration and Nationality Act to increase competitiveness in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. SESSIONS:

H. Con. Res. 440. Concurrent resolution providing for an adjournment or recess of the two Houses; considered and agreed to.

By Mr. DEFAZIO (for himself, Mr. RAHALL, and Mr. GILCHREST):

H. Con. Res. 441. Concurrent resolution expressing the sense of Congress regarding the regrettable votes cast by certain Caribbean countries for a resumption of commercial whaling at the 58th annual International Whaling Commission meeting in St. Kitts in June 2006; to the Committee on International Relations, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON-LEE of Texas (for herself, Mr. WYNN, Mr. MEEKS of New York, Mr. BISHOP of Georgia, Mr. THOMPSON of Mississippi, Mr. BUTTERFIELD, Mr. HINOJOSA, Mr. ORTIZ, and Mr. REYES):

H. Con. Res. 442. Concurrent resolution expressing the sense of Congress that the Government of Iraq should not grant blanket amnesty to persons known to have attacked, killed, or wounded members of the United States Armed Forces in Iraq; to the Committee on International Relations.

By Mr. WALDEN of Oregon (for himself, Mr. WHITFIELD, Mr. ORTIZ, Mr. NEUGEBAUER, Mr. NEAL of Massachusetts, Mrs. SCHMIDT, Mr. CHABOT, Mrs. BLACKBURN, Ms. JACKSON-LEE of Texas, and Mr. REYES):

H. Con. Res. 443. Concurrent resolution honoring Private First Class Kristian Menchaca, Private First Class Thomas L. Tucker, and Specialist David J. Babineau, United States Army, for their sacrifice in June 2006 while serving the United States in Operation Iraqi Freedom; to the Committee on Armed Services.

By Mr. SIMMONS (for himself, Mr. EVANS, Ms. BORDALLO, Ms. MILLENDER-MCDONALD, and Mr. RUPPERSBERGER):

H. Con. Res. 444. Concurrent resolution extending the thanks of Congress and the Nation to the Defense POW/Missing Personnel Office, the Joint POW/MIA Accounting Command of the Department of Defense, the Armed Forces DNA Identification Laboratory, the Air Force Life Sciences Equipment Laboratory, and the military departments and to the Socialist Republic of Vietnam for their efforts to achieve the fullest possible accounting of all Americans unaccounted for as a result of the Vietnam War; to the Committee on Armed Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK of Massachusetts (for himself, Ms. PELOSI, Mr. HOYER, Ms. HARMAN, Mr. CONYERS, Mr. OBEY, Mr. KILDEE, Mr. CLAY, Ms. HOOLEY, Mr. GUTIERREZ, Mrs. MALONEY, Ms. BERKLEY, Ms. KILPATRICK of Michigan, Ms. WASSERMAN SCHULTZ, Mr. SPRATT, Mr. BACA, Mrs. CAPPS, Mr. BUTTERFIELD, Mr. BROWN of Ohio, Mr. ISRAEL, Mr. CROWLEY, Ms. CARSON, Mr. JEFFERSON, Ms. ROYBAL-ALLARD, Mr. KIND, Mr. EVANS, Mr. BISHOP of New York, Mr. MORAN of Virginia, Mr. MCGOVERN, Ms. LEE, Mr. REYES, Mrs. NAPOLITANO, Ms. VELÁZQUEZ, Ms. DEGETTE, Ms. DELAURO, Mr. WATT, Mr. ROSS, Mr. HIGGINS, Ms. MCCOLLUM of Minnesota, Mrs. MCCARTHY, Mr. BLUMENAUER, Mr. TIERNEY, Mr. HONDA, Mr. CLEAVER, Mr. SKELTON, Ms. ESHOO, Mr. MICHAUD, Mr. CAPUANO, Mr. GONZALEZ, Mr. CARDIN, Mr. AL GREEN of Texas, Mr. GRIJALVA, Ms. BALDWIN, Mr. LEVIN, Ms. MILLENDER-MCDONALD, Mr. MEEHAN, Ms. JACKSON-LEE of Texas, Mr. MELANCON, Mrs. TAUSCHER, Mr. MEEKS of New York, Mr. LANTOS, Ms. MOORE of Wisconsin, Mr. SCOTT of Georgia, Mr. MCNULTY, Ms. SCHWARTZ of Pennsylvania, Mr. NADLER, Mr. UDALL of New Mexico, Mr. INSLEE, Mr. BOSWELL, Mr. GENE GREEN of Texas, Mrs. DAVIS of California, Mr. BERMAN, Ms. WATERS, Mr. LYNCH, Ms. SOLIS, Mr. BERRY, Mr. BAIRD, Mr. ACKERMAN, Mr. GORDON, Mr. KENNEDY of Rhode Island, Ms. WATSON, Mr. FARR, Mr. ETHERIDGE, Mr. OLVER, Mr. POMEROY, Mr. MCDERMOTT, Mr. SABO, Mr. WEXLER, Mr. DINGELL, Mr. WAXMAN, Mr. SCHIFF, Mr. PRICE of North Carolina, Ms. LINDA T. SÁNCHEZ of California, Mr. ANDREWS, Mr. BECERRA, Mr. SCOTT of Virginia, Mr. DAVIS of Alabama, Mr. DELAHUNT, Mr. LANGEVIN, Ms. HERSETH, Mr. JACKSON of Illinois, Ms. MCKINNEY, Mr. GEORGE MILLER of California, Mr. PASCRELL, Mr. HOLT, Ms. SLAUGHTER, Mr. DAVIS of Florida, Mr. UDALL of Colorado, Mr. ROTHMAN, Ms. MATSUI, Mr. MILLER of North Carolina, Ms. BORDALLO, Mr. WEINER, Mr. MOORE of Kansas, Ms. KAPTUR, Mr. NEAL of Massachusetts, Mr. CRAMER, Mr. RUPPERSBERGER, Ms. CORRINE BROWN of Florida, Mr. LARSON of Connecticut, Mrs. CHRISTENSEN, Mr. MEEK of Florida, Mrs. LOWEY, Mr. OBERSTAR, Ms. ZOE LOFGREN of California, Mr. SNYDER, Mr. LIPINSKI, Mr. STUPAK, Mr. SHERMAN, Mr. SALAZAR, Mr. TANNER, Ms. WOOLSEY, and Mr. CHANDLER):

H. Res. 900. A resolution supporting intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate congressional consultation; to the Committee on Financial Services.

By Mrs. MALONEY (for herself, Mrs. LOWEY, Mr. BROWN of Ohio, Ms. CARSON, Mr. CONYERS, Mr. CROWLEY, Mr. ENGEL, Mr. HASTINGS of Florida, Mr. HOLT, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. MCDERMOTT, Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. MCGOVERN, Mr. NEAL of Massachusetts, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. SERRANO, and Ms. WASSERMAN SCHULTZ):

H. Res. 901. A resolution honoring former President William Jefferson Clinton on the occasion of his 60th birthday; to the Committee on Government Reform.

By Mr. PRICE of Georgia:

H. Res. 902. A resolution electing a certain Member to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. CHOCOLA (for himself, Mr. CUELLAR, Mr. AKIN, Mr. BARRETT of South Carolina, Mr. BARTLETT of Maryland, Mrs. BLACKBURN, Mr. CARTER, Mr. CASE, Mr. CHABOT, Mr. CHANDLER, Mr. CONAWAY, Mr. COOPER, Mr. CULBERSON, Mr. DAVIS of Tennessee, Ms. FOXX, Mr. GARRETT of New Jersey, Mr. GINGREY, Mr. GOODE, Mr. GUTKNECHT, Ms. HART, Mr. HAYWORTH, Mr. HEFLEY, Mr. HENSARLING, Mr. HERGER, Mr. JONES of North Carolina, Mr. KLINE, Mr. KUHL of New York, Mrs. MUSGRAVE, Mrs. MYRICK, Mr. NORWOOD, Mr. PENCE, Mr. SCOTT of Georgia, Mr. SHADEGG, Mr. TANCREDO, Mr. WAMP, and Mr. WESTMORELAND):

H. Res. 903. A resolution repealing rule XXVII of the Rules of the House of Representatives relating to the statutory limit on the public debt; to the Committee on Rules.

By Mr. DINGELL:

H. Res. 904. A resolution commending the American press for its long history of keeping the American public informed of its government's actions both at home and abroad; to the Committee on the Judiciary, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FALEOMAVAEGA (for himself, Mr. LANTOS, Ms. ROS-LEHTINEN, Mr. ACKERMAN, Ms. BORDALLO, Ms. BERKLEY, Mr. BERMAN, Mrs. CHRISTENSEN, Mr. CROWLEY, Mr. ENGEL, Mr. ENGLISH of Pennsylvania, Mr. HINCHEY, Mr. ISSA, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KING of Iowa, Mr. MCKEON, Mr. MEEKS of New York, Mr. MELANCON, Mr. PITTS, Mr. SAXTON, Mr. SHERMAN, Mr. TOWNS, Mr. WELDON of Pennsylvania, and Mr. WEXLER):

H. Res. 905. A resolution congratulating Kazakhstan on the 15th anniversary of the closure of the world's second largest nuclear test site in the Semipalatinsk region of Kazakhstan and for its efforts on the nonproliferation of weapons of mass destruction; to the Committee on International Relations.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. WU introduced A bill (H.R. 5745) for the relief of Irma Diaz, Luis Diaz, Jr., and Monica Diaz; which was referred to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

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

H.R. 65: Ms. GINNY BROWN-WAITE of Florida.
H.R. 97: Ms. JACKSON-LEE of Texas.
H.R. 147: Mr. TERRY.
H.R. 278: Mrs. JO ANN DAVIS of Virginia.
H.R. 500: Mr. TAYLOR of North Carolina.
H.R. 547: Mr. KILDEE.
H.R. 583: Mrs. DRAKE.
H.R. 686: Ms. NORTON.
H.R. 687: Mr. SWEENEY.
H.R. 699: Mrs. WILSON of New Mexico, Mr. SCOTT of Georgia, Mr. CLAY, Mr. RUSH, Ms. BORDALLO, Mr. JEFFERSON, and Mr. HIGGINS.
H.R. 817: Mr. GARY G. MILLER of California.
H.R. 818: Ms. SCHWARTZ of Pennsylvania.
H.R. 830: Mr. OWENS and Mr. CONYERS.
H.R. 998: Ms. FOXX.
H.R. 1019: Mr. CARDIN.
H.R. 1050: Mr. FATTAH.
H.R. 1131: Mr. MCHENRY.
H.R. 1147: Mrs. MALONEY.
H.R. 1227: Mr. YOUNG of Florida, Mr. CROWLEY, Mr. MCINTYRE, Mr. HOBSON, Mr. POE, and Mr. HIGGINS.
H.R. 1249: Mr. SCHWARZ of Michigan.
H.R. 1264: Mr. HOLDEN, Mr. MEEHAN, Mr. STARK, and Mr. LEWIS of Kentucky.
H.R. 1351: Ms. MCCOLLUM of Minnesota.
H.R. 1369: Mr. BOUCHER.
H.R. 1384: Mr. PICKERING, Mr. MELANCON, Mr. BONNER, and Mrs. MILLER of Michigan.
H.R. 1402: Mr. ALEXANDER.
H.R. 1413: Mr. FRANK of Massachusetts.
H.R. 1424: Mr. SALAZAR.
H.R. 1451: Mr. BLUMENAUER.
H.R. 1545: Mr. RUSH.
H.R. 1632: Mr. SANDERS.
H.R. 1634: Mr. SMITH of Washington and Mr. EDWARDS.
H.R. 1671: Mr. CASE.
H.R. 1898: Mr. JINDAL, Mr. MORAN of Kansas, Mrs. NORTHUP, Mr. HAYES, and Mr. MARIO DIAZ-BALART of Florida.
H.R. 1975: Mrs. JO ANN DAVIS of Virginia.
H.R. 1996: Mr. GRIJALVA, Mr. MORAN of Virginia, and Mr. ISRAEL.
H.R. 2014: Ms. MCCOLLUM of Minnesota.
H.R. 2037: Mr. TOWNS.
H.R. 2088: Mr. PAUL, Mrs. CUBIN, Mr. MCCRERY, and Mrs. MILLER of Michigan.
H.R. 2103: Mr. HEFLEY, Mr. POE, and Mr. GONZALEZ.
H.R. 2177: Mr. SCHWARZ of Michigan.
H.R. 2178: Mr. CASE.
H.R. 2206: Mr. HOLDEN, Mr. EDWARDS, and Mr. PETERSON of Minnesota.
H.R. 2231: Ms. BERKLEY.
H.R. 2348: Mr. SMITH of Texas.
H.R. 2378: Mr. JONES of North Carolina.
H.R. 2567: Mr. ENGEL.
H.R. 2666: Mr. MATHESON.
H.R. 2808: Mr. AKIN, Mr. JEFFERSON, Mr. WYNN, Mr. PICKERING, Mr. DELAHUNT, Miss MCMORRIS, Mr. FOLEY, Mr. LYNCH, Mr. JONES of North Carolina, Mr. CULBERSON, Mr. MORAN of Virginia, Mr. WATT, Mr. ADERHOLT, Ms. WATSON, Ms. KAPTUR, Mr. SESSIONS, Mr. THORNBERRY, Mrs. BONO, Mr. CAMP of Michigan, Mr. COBLE, Mr. CASTLE, Mr. FOSSELLA, Mr. BILBRAY, Ms. CORRINE BROWN of Florida, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. FATTAH, Mr. FORD, Ms. WATERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Ms. MCKINNEY, Mr. MEEK of Florida, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Ms. MOORE of Wisconsin, Mr. SCOTT of Georgia, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mrs. JO ANN DAVIS of Virginia, Mr. RENZI, Mr. BONNER, Mr. HASTINGS of Washington, Mr. EVERETT, and Mr. BAIRD.
H.R. 2869: Mr. SANDERS, Mr. BERMAN, Mr. COSTA, and Ms. WOOLSEY.
H.R. 3006: Ms. ROYBAL-ALLARD, Ms. MCKINNEY, Mr. ISRAEL, and Ms. JACKSON-LEE of Texas.
H.R. 3019: Mr. SHAW.
H.R. 3044: Mr. CONYERS.
H.R. 3159: Mr. DAVIS of Illinois and Mr. GUTIERREZ.
H.R. 3282: Mr. CUELLAR, Mr. WAMP, Mr. PETERSON of Pennsylvania, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BEAUPREZ, Mr. KINGSTON, Mr. RYUN of Kansas, Mr. GINGREY, Mr. Westmoreland, Mr. GUTKNECHT, Mr. BARTLETT of Maryland, Mr. BARRETT of South Carolina, Mr. AKIN, Mr. PRICE of Georgia, Mr. DOOLITTLE, Mr. KLINE, Mr. LUCAS, Mr. CHABOT, Mr. MILLER of Florida, Mr. FOLEY, Mr. CAMP of Michigan, Mrs. CAPITO, Ms. PRYCE of Ohio, Mr. CARDOZA, Mr. WELLER, Mr. KING of Iowa, Mr. REICHERT, Mr. PETERSON of Minnesota, Mr. CASE, Mr. CALVERT, Mrs. BONO, Mr. GILCHREST, and Mr. BACHUS.
H.R. 3413: Mr. FOLEY, Mr. SIMMONS, Mr. MCHUGH, and Mr. WELLER.
H.R. 3435: Mr. SHADEGG, Mr. MARCHANT, Mr. AKIN, Mr. PRICE of Georgia, Mr. DOOLITTLE, Mr. KING of Iowa, Mr. WESTMORELAND, Mr. HENSARLING, and Mr. NEUGEBAUER.
H.R. 3616: Mr. DAVIS of Illinois, Mr. GRIJALVA, and Mr. CONYERS.
H.R. 3762: Mrs. BONO.
H.R. 3795: Mr. DOGGETT.
H.R. 3852: Mr. OBEY.
H.R. 3883: Mr. LINDER.
H.R. 3910: Mr. HERGER.
H.R. 3960: Mr. GOHMERT.
H.R. 4030: Mr. MCDERMOTT.
H.R. 4033: Mrs. LOWEY, Mr. YOUNG of Florida, and Mr. ROSS.
H.R. 4140: Mr. WAXMAN.
H.R. 4188: Ms. MCKINNEY and Ms. DEGETTE.
H.R. 4217: Mr. SHIMKUS and Mr. HULSHOF.
H.R. 4239: Mr. HERGER.
H.R. 4264: Mr. PEARCE.
H.R. 4282: Mr. SHAYS.
H.R. 4303: Ms. BALDWIN.
H.R. 4359: Mr. CASE.
H.R. 4403: Mr. GENE GREEN of Texas.
H.R. 4464: Ms. KILPATRICK of Michigan.
H.R. 4517: Mr. BISHOP of New York.
H.R. 4562: Mr. COSTA, Mr. HIGGINS, Mr. HOLDEN, Mr. MOLLOHAN, Mrs. KELLY, Mr. WU, Ms. LORETTA SANCHEZ of California, Mr. MEEK of Florida, Mr. LEVIN, Mr. BOEHLERT, Mr. MARIO DIAZ-BALART of Florida, Ms. DEGETTE, Mr. DUNCAN, and Ms. PRYCE of Ohio.
H.R. 4597: Mr. FATTAH, Ms. HOOLEY, Mrs. MCCARTHY, and Ms. ZOE LOFGREN of California.
H.R. 4650: Mr. CARNAHAN.
H.R. 4668: Mrs. KELLY.
H.R. 4751: Mr. GONZALEZ, Mr. FRANK of Massachusetts, Mr. NEAL of Massachusetts, Mr. LEWIS of Georgia, Mr. BECERRA, Mr. KENNEDY of Minnesota, Mr. HINOJOSA, Mrs. MYRICK, and Mr. CONYERS.
H.R. 4772: Mr. KLINE, Mr. ETHERIDGE, and Mrs. CAPITO.
H.R. 4838: Mr. BILIRAKIS.
H.R. 4844: Mr. DOOLITTLE.
H.R. 4873: Mr. SIMPSON.
H.R. 4924: Ms. DELAURO.
H.R. 4927: Mr. FORD, Mr. WAMP, Mr. SIMMONS, Mr. HAYWORTH, Mr. BARROW, and Mrs. JO ANN DAVIS of Virginia.
H.R. 4942: Mr. MCNULTY.
H.R. 4960: Mr. LAHOOD.
H.R. 4976: Mr. MACK and Mr. CONYERS.
H.R. 5005: Mr. MELANCON and Mr. PICKERING.
H.R. 5013: Mr. MELANCON, Mr. BONILLA, Mrs. CUBIN, Mr. MURPHY, Mr. SMITH of Texas, Mr. PUTNAM, and Mr. SIMPSON.
H.R. 5052: Mr. JACKSON of Illinois and Mr. GUTIERREZ.
H.R. 5056: Mr. MARIO DIAZ-BALART of Florida.
H.R. 5072: Mrs. CUBIN.
H.R. 5092: Mr. MELANCON, Mr. PICKERING, Mr. BONNER, and Mr. BONILLA.
H.R. 5100: Mr. GREEN of Wisconsin and Mr. NADLER.
H.R. 5106: Mr. MCINTYRE.
H.R. 5120: Mrs. BLACKBURN.
H.R. 5121: Mr. BOEHLERT, Mr. KLINE, Mr. CUMMINGS, Ms. JACKSON-LEE of Texas, Mr. FITZPATRICK of Pennsylvania, Mr. OWENS, Mrs. CHRISTENSEN, Ms. MILLENDER-MCDONALD, Mr. DOOLITTLE, Mr. TOWNS, Mr. JEFFERSON, Mr. MEEKS of New York, Mr. FATTAH, Mr. HASTINGS of Florida, Mr. RUSH, Mr. MEEK of Florida, Mr. CONYERS, Mr. REYNOLDS, Mr. RANGEL, Ms. NORTON, Mr. DAVIS of Illinois, Mr. PICKERING, and Mr. BROWN of Ohio.
H.R. 5134: Mr. LEWIS of Georgia and Ms. NORTON.
H.R. 5171: Mr. RADANOVICH.
H.R. 5173: Mr. DENT, Mr. YOUNG of Florida, Mr. JONES of North Carolina, and Mr. PLATTS.
H.R. 5185: Mr. FRANK of Massachusetts.
H.R. 5206: Mr. BOUCHER.
H.R. 5211: Mr. JONES of North Carolina.
H.R. 5225: Ms. BORDALLO, Mr. GONZALEZ, Mr. HASTINGS of Florida, Mrs. MCCARTHY, Mr. CLYBURN, and Ms. WOOLSEY.
H.R. 5242: Mr. BISHOP of Utah, Ms. FOXX, Mr. KINGSTON, Mr. RYUN of Kansas, Mrs. BLACKBURN, Mrs. MUSGRAVE, Mr. GINGREY, Mr. CULBERSON, Mr. WELDON of Florida, Mr. GOODE, Mr. WAMP, Mr. GUTKNECHT, Mr. ROHRABACHER, Mr. BARRETT of South Carolina, Mr. AKIN, Mr. NORWOOD, Mr. HOSTETTLER, Mr. DOOLITTLE, Mr. KING of Iowa, Mr. WESTMORELAND, Mr. BARTLETT of Maryland, Mr. MARCHANT, Mr. POE, Mr. BRADY of Texas, Mr. MCCAUL of Texas, Mr. HENSARLING, and Mr. GOHMERT.
H.R. 5246: Mr. SWEENEY, Mr. CLYBURN, Mr. SANDERS, and Mr. FERGUSON.
H.R. 5262: Mr. SMITH of Texas.
H.R. 5288: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCCOLLUM of Minnesota, Mr. SCHIFF, and Mr. JEFFERSON.
H.R. 5289: Mr. HYDE.
H.R. 5291: Mrs. MUSGRAVE.
H.R. 5314: Mr. CAMPBELL of California, Mr. MARCHANT, Mrs. DRAKE, and Mr. DUNCAN.
H.R. 5316: Mr. ENGEL, Mrs. JONES of Ohio, Mr. KIND, Mr. KUCINICH, Ms. MCCOLLUM of Minnesota, Mr. NEAL of Massachusetts, Mr. REYES, Mr. RUSH, and Mr. SABO.
H.R. 5319: Mr. DUNCAN.
H.R. 5346: Mr. GREEN of Wisconsin.
H.R. 5371: Mr. GRIJALVA.
H.R. 5372: Mr. RYAN of Ohio, Mr. STUPAK, Mr. DAVIS of Tennessee, Mr. CARDOZA, Mr. SCOTT of Georgia, Mr. HOLT, and Mrs. MALONEY.
H.R. 5390: Mr. SANDERS and Mr. ETHERIDGE.
H.R. 5444: Mr. PASTOR and Mr. GONZALEZ.
H.R. 5453: Mr. GILLMOR.
H.R. 5468: Mr. MCNULTY and Mr. HIGGINS.
H.R. 5478: Mrs. EMERSON and Mr. MARCHANT.
H.R. 5483: Mr. SABO.
H.R. 5496: Mr. SMITH of New Jersey.
H.R. 5500: Mr. KLINE and Mr. SHIMKUS.
H.R. 5513: Mr. PRICE of North Carolina, Mr. FORTUÑO, MRS. SCHMIDT, Mr. ISRAEL, Mr. SCOTT of Georgia, and Mr. KILDEE.
H.R. 5523: Mr. JONES of North Carolina.
H.R. 5539: Mr. RYAN of Wisconsin, Mr. KIND, and Mr. PUTNAM.

H.R. 5554: Mr. HEFLEY.
H.R. 5562: Mr. SCHWARZ of Michigan.
H.R. 5586: Mr. SESSIONS and Miss MCMORRIS.
H.R. 5588: Ms. ESHOO, Ms. SCHWARTZ of Pennsylvania, Mr. FARR, Mr. MARSHALL, Mr. CARNAHAN, Mr. BECERRA, Mr. PRICE of North Carolina, and Mr. MOLLOHAN.
H.R. 5598: Ms. WATERS.
H.R. 5642: Mr. LANTOS, Mr. MORAN of Virginia, Mr. GRIJALVA, Mr. KENNEDY of Rhode Island, Ms. MCCOLLUM of Minnesota, and Mr. SCHIFF.
H.R. 5650: Mrs. EMERSON, Mr. SKELTON, Mr. SIMPSON, and Mr. FORD.
H.R. 5670: Mr. MCGOVERN.
H.R. 5671: Mr. FILNER.
H.R. 5673: Mr. DANIEL E. LUNGREN of California.
H.R. 5674: Mr. RANGEL, Mr. MEEK of Florida, Mr. HASTINGS of Florida, Mr. AL GREEN of Texas, Mr. SCHIFF, and Mr. FATTAH.
H.R. 5675: Mr. SALAZAR and Ms. GINNY BROWN-WAITE of Florida.
H.R. 5677: Mr. GREEN of Wisconsin.
H.R. 5682: Mr. KING of New York.
H.R. 5694: Mr. BISHOP of Georgia.
H.R. 5696: Mr. PETERSON of Minnesota.
H.R. 5704: Miss MCMORRIS.
H.R. 5708: Mr. KING of New York, Mr. HINCHEY, and Mr. WALSH.
H.J. Res. 46: Mr. BILIRAKIS.
H.J. Res. 88: Mr. BAKER, Mr. BUYER, Ms. HART, Mr. HENSARLING, Mr. ROHRABACHER, and Mr. TAYLOR of North Carolina.
H.J. Res. 90: Mr. MORAN of Virginia, Mr. UDALL of Colorado, Mr. GRIJALVA, and Ms. SCHWARTZ of Pennsylvania.
H. Con. Res. 57: Ms. WATERS.
H. Con. Res. 282: Mr. JEFFERSON.
H. Con. Res. 306: Mr. SIMMONS, Mr. SHAYS, Mr. MCGOVERN, and Mr. PAYNE.
H. Con. Res. 346: Mrs. KELLY and Mr. WAXMAN.
H. Con. Res. 363: Mr. SWEENEY.
H. Con. Res. 415: Mr. SMITH of New Jersey.
H. Con. Res. 424: Mr. WAMP, Mr. SALAZAR, Mr. DELAHUNT, Mr. SCOTT of Georgia, Mr. KENNEDY of Minnesota, Mr. CASE, Miss MCMORRIS, Mr. HOLDEN, and Mr. COSTA.
H. Con. Res. 432: Mr. CASE, Mr. FALEOMAVAEGA, and Mr. KUHL of New York.
H. Con. Res. 437: Mr. PEARCE, Mrs. JO ANN DAVIS of Virginia, and Mr. MILLER of Florida.
H. Res. 79: Mr. MOORE of Kansas and Mr. ALLEN.
H. Res. 189: Mr. KING of New York, Mr. BAIRD, Mr. CARDOZA, Mr. SERRANO, Mr. MCHUGH, Mr. BOUSTANY, Mr. DANIEL E. LUNGREN of California, Mr. REYNOLDS, Mr. NEAL of Massachusetts, Mr. MCKEON, Mr. FOLEY, Mr. CONAWAY, Mr. SMITH of New Jersey, Mr. OLVER, Mr. MCCOTTER, Mrs. MUSGRAVE, Mrs. KELLY, Mr. ENGLISH of Pennsylvania, Mr. RADANOVICH, and Mr. SHAW.
H. Res. 415: Mrs. JO ANN DAVIS of Virginia.
H. Res. 449: Mr. MORAN of Virginia.
H. Res. 490: Mrs. MCCARTHY.
H. Res. 533: Mr. LANGEVIN, Mr. COBLE, and Mr. MEEHAN.
H. Res. 690: Mr. CAMPBELL OF CALIFORNIA.
H. Res. 760: Mr. SCOTT of Georgia and Mr. KILDEE.
H. Res. 765: Mr. BURTON of Indiana.
H. Res. 787: Ms. LORETTA SANCHEZ of California, Mr. SERRANO, and Ms. VELÁZQUEZ.
H. Res. 800: Mr. CALVERT.
H. Res. 874: Mr. HINCHEY and Mrs. LOWEY.
H. Res. 888: Mr. LANTOS, Mr. WEXLER, Mr. CROWLEY, Mr. FATTAH, Mr. TOWNS, Mr. DOYLE, Ms. CORRINE BROWN of Florida, Mr. RUSH, Mr. OWENS, Mr. MEEKS of New York, Mr. BROWN of Ohio, Mr. GRIJALVA, Mr. MCGOVERN, and Ms. SCHAKOWSKY.
H. Res. 893: Mr. PAYNE, Ms. VELÁZQUEZ, Mr. HIGGINS, Mr. CROWLEY, Mrs. MALONEY, Mr. OWENS, Mr. MEEK of Florida, Ms. JACKSON-LEE of Texas, Mrs. MCCARTHY, Mr. MEEKS of New York, Mr. ORTIZ, Mr. NADLER, Mr. MCNULTY, Mr. HINCHEY, and Ms. CORRINE BROWN of Florida.

## PETITIONS, ETC.

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

124. The SPEAKER presented a petition of the City Commission of Pembroke Pines, Florida, relative to Resolution No. 3092 supporting no less than $4.3 Billion in Congressional funding for the fiscal year 2007 for the Community Development Block Grant Program; to the Committee on Financial Services.

125. Also, a petition of the City Coucil of Atlanta, Georgia, relative to Resolution 06-R-0950 urging the Congress of the United States to support the principles put forward by Senators Conrad Burns (R-Montana) and Daniel Inouye (D-Hawaii) that place local authority at the center of Franchising reform; to the Committee on Energy and Commerce.

126. Also, a petition of the City Council of Atlanta, Georgia, relative to Resolution 06-R-0951 urging the Congress of the United States to support a United States Department of Peace and Nonviolence; jointly to the Committees on Government Reform, International Relations, and the Judiciary.

# EXTENSIONS OF REMARKS

## RECOGNIZING JOSEPH WILLIAM WEST BERRIGAN FOR ACHIEVING THE RANK OF EAGLE SCOUT

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Joseph William West Berrigan, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 9, and in earning the most prestigious award of Eagle Scout.

Joseph has been very active with his troop, participating in many Scout activities. Over the many years Joseph has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Joseph William West Berrigan for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## HONORING JACK MICHAELS, EXECUTIVE DIRECTOR, PARALYZED VETERANS OF AMERICA, NORTHWEST CHAPTER

### HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. SMITH of Washington. Mr. Speaker, I would like to take a moment to honor an extraordinary individual from my district who is a true American hero, Jack Michaels. He is an ordinary man with an extraordinary story. Unless you are a friend or a family member you may not recognize his face, or have ever heard his name. Indeed, there are millions of Americans like him—Americans who have sacrificed so much for our country and do not receive nearly enough recognition in return for their service. Let me introduce you to one of many forgotten warriors.

Jack Michaels flew an assault helicopter in Vietnam that was shot down in 1970. His copilot was killed and Jack was left in a wheelchair for life. For his sacrifice he received a Distinguished Flying Cross, Bronze Star, and a Purple Heart.

From that point on, he became determined to advocate for the rights of disabled veterans. His own experiences inspired him to help launch the Northwest Chapter of the Paralyzed Vets of America. Though it began with only 10 members, it has grown into a strong organization with over 400 members. The national PVA director calls him the backbone and guiding light of the chapter. Through his support, the Northwest Chapter has evolved into a strong advocate for veterans.

To illustrate his commitment, before the Northwest Chapter was even a part of the national PVA, he was instrumental in lobbying with the Washington Coalition of Citizens with Disabilities to get the King County Metro bus system to buy buses that would allow people in wheelchairs to ride. Before his work on this issue, no bus in King County was equipped to take a person in a wheelchair. This change has dramatically improved the lives of many by giving them the power of mobility. Impressively, Washington State's version of the Americans with Disabilities Act is actually stronger than the Federal version as a result of Jack's efforts. Jack has also worked tirelessly on a range of other issues affecting disabled veterans.

Now, 30 years after Jack Michaels helped launch the Northwest Chapter of the PVA, Jack is retiring as the chapter's executive director. Despite his upcoming retirement, he still plans to continue his battle for disabled veterans and will continue his work as a volunteer for the chapter he has served for so many years. Jack Michaels made a sacrifice for his country, and in the following years has continued to give still more. Over the years he has made his local and national community a better place by fighting for the rights of his fellow veterans. He deserves our utmost respect, admiration, and commendation for his achievements. I thank him for continuing to fight for liberty at home, and for volunteering to improve daily life for his fellow veterans, knowing all too well the sacrifices they have made.

## TRIBUTE TO DON ORGAN

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Don Organ, my old friend and advisor, of Marin County, California, who died June 21, 2006, at the age of 77. Don advised me on my first congressional campaign in 1992 and continued to be a valued supporter through the ensuing years,

Don's career in politics evolved after he retired from a 27-year career managing nonprofit organizations, mostly in the public health field. After my 1992 campaign, he went on to develop a political consulting business with his wife Doris that focused primarily on Democrats and women candidates. He ran BARBARA BOXER's "Be a Boxer" campaign as well as efforts for local candidates such as Marin Assessor Joan Thayer, Judge Vernon Smith, Community College Trustees Eva Long and Greg Brockbank, and City Council Members Paul Cohen, Barbara Heller, and Carole Dillon-Knutson.

Born in Minneapolis, Don was raised in Los Angeles and graduated from Pomona College. After serving in the Korean war, he studied education at UC Berkeley and taught high school for a short time before entering the nonprofit world. With his wife Doris and his two sons, he moved around the country to pursue this work, and the family lived in Wyoming, Chicago, Washington, DC, Birmingham, and Kansas City, before settling in Fairfax in Marin County in 1987.

Don soon joined the Marin Democratic Central Committee, ran unsuccessfully for the Marin Community College Board, and rapidly became a political fixture in the county. He was an active member of the National Women's Political Caucus in Marin where his support was so valued that he was the only male included in their 2006 Movers and Doers Calendar.

That first unsuccessful campaign for College Board is fondly recalled by Don's son Kris: He recruited my brother Larry and me to walk precincts with him, which I thought was pretty bold of him, as he and Mom had just moved to Marin County the year before. Larry and I were the established names in Contra Costa County.

We handed out a piece of literature Dad had put together stating his goals for the College, giving his background and including a photograph. We walked a Novato precinct, and a voter said to him, "Oh, I'm glad I met you in person. You look fat in this picture, but you're not fat. Fat people should never get elected, because they're lazy. But, I'll vote for you." Dad replied with his broad smile, "Well, I'm glad we met too. All this precinct walking has been good for me." Then, he told his boys, "That's how important a good picture is!" He came in last for the College Board, but I think those lessons made a difference in handling other candidates whose pictures were always the best.

Don is survived by Doris, his wife of almost 52 years, and two sons, Kris Organ, Executive Director of Service Employees International Union Local 949 and his daughter Serena; and Larry Organ, civil rights attorney, his wife Susan and 3 daughters, Robyn, Meg, and Jane, all of whom live in Marin County.

Mr. Speaker, Dan Organ enriched Marin with his work and his support of many candidates, both men and women, who are leaders in the community. His family has asked that we "keep his memory" in our hearts. I will certainly do that as I mourn the loss of this friend and colleague whom I valued as an ally in my endeavors on behalf of California's Sixth District.

## SILVER STAR MEDAL PRESENTED TO DONALD F. FULTON

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to invite my colleagues to join me in recognizing Major Donald F. Fulton, USAF Ret., a resident of Vacaville, California, who has been awarded the Silver Star

Medal for extraordinary gallantry in action while on a combat mission. The incident took place on August 14, 1969 when Maj. Fulton was serving in the United States Air Force as a Forward Air Controller, FAC, while supporting classified combat operations in Laos during the Vietnam War. Approval was announced by the Department of the Air Force for the award of the Silver Star Medal, the nation's third highest award for valor, to Donald F. Fulton.

Don Fulton is a native of New York City, NY, and has lived in the Vacaville, CA, area since 1975. He graduated from Point Lorna Nazarene University in 1965.

As a captain in the U.S. Air Force, he served as a FAC while assigned to Pleiku Air Base, Republic of Vietnam, with the 20th Tactical Air Support Squadron, TASS. On August 14, 1969, Captain Fulton was the pilot of a lightly armed observation aircraft (0–2) and was participating in aerial flight deep inside Laos in support of Military Assistance Command—Vietnam, Studies and Observation Group, MAC–V SOG, Command and Control Central (CCC). Operating under call sign Covey 538, Captain Fulton coordinated Tactical Air Support for an eight-man Special Operations Strategic Reconnaissance Team while it conducted Operation Sad Sam, a raid on a major North Vietnamese Army unit headquarters. Recon Team New York was subsequently heavily engaged by a North Vietnamese Infantry Regiment and was immobilized with casualties and surrounded at dusk in mountainous rain forest. With a low ceiling and heavy rain approaching, and no tactical air support immediately available, Captain Fulton, firing marking rockets and an M–16 rifle, made numerous aerobatic, treetop level attacks on the enemy forces. During these passes, he was subjected to heavy fire from small arms, 12.7mm heavy machine guns, rocket propelled grenades and 23mm and 37mm antiaircraft weapons, inflicting substantial battle damage to his aircraft. His actions forestalled enemy attacks on the besieged Recon Team, until tactical air support could arrive. Subsequently, Captain Fulton directed the air assets in attacking the enemy and in conducting a night extraction of the Reconnaissance Team during a heavy rainstorm, while his fuel level dropped to near empty.

In his recommendation for the award of the Silver Star to Major Fulton, Lieutenant Colonel Edward Wolcoff, U.S. Army, Ret., stated that the "operation resulted in the discovery of a major enemy headquarters and nearby main force bivouacs and fortifications, which were subjected to aerial attack and subsequently ground attack by an exploitation force from CCC, whereby the enemy sustained heavy losses and was forced to abandon the complex. The Sad Sam operation and subsequent ground operation caused the enemy to reinforce security in its sanctuary area at the expense of main force units, and its order of battle in South Vietnam was decremented."

Major Donald Fulton is also the recipient of the Distinguished Flying Cross, the Meritorious Service Medal and the Air Medal with eight Oak Leaf Clusters.

## RECOGNIZING ALEXANDER LEWIS RICE

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GRAVES. Mr. Speaker, I proudly pause to celebrate the birth of Alexander Lewis Rice. Alex was born on Flag Day, Wednesday, June 14, 2006, to his proud parents, Robert and Sarah Rice, of Chillicothe, Missouri. Alex entered the world at 9:33 p.m. at Liberty Hospital in Liberty, Missouri, weighing a healthy 6 lbs. 11 oz. and 19 inches long.

Alex also has proud grandparents, Lewis and Kathy Rice, of Maryville, Missouri, and Kevin and Sandy Coan, of Omaha, Nebraska, to spoil him. Alex is also the nephew of Sarah and Travis Woodward, of Bowie, Maryland, Nathaniel Rice, of Maryville, Missouri, Brian and Carie Costanzo of Lincoln, Nebraska, and Thomas and Elle Coan of Abilene, Texas.

I find it quite appropriate that Alex was born on such a patriotic holiday as Flag Day considering that his father was one of my first interns while I served in the Missouri State Senate. I see great things in Alex's future considering his parents' and grandparents' great emphasis on family values, public service and patriotism.

Mr. Speaker, I proudly ask you to join me in celebrating the birth of Alexander Lewis Rice. I wish Alex the best life has to offer, and I am proud to now serve him in the United States Congress.

## A TIME OF HOPE FOR NAGORNO-KARABAGH

### HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. SCHIFF. Mr. Speaker, this week I had the pleasure of meeting with Nagorno-Karabagh's Foreign Minister George Petrosian and National Assembly Speaker Ashot Ghulian. I have long supported the right of self-determination for the people of Nagorno-Karabagh and greatly admire the efforts of the people of this historically Armenian region to build democracy and a market economy in the face of hostility from Azerbaijan.

It is a time of hope for a resolution of the Nagorno-Karabagh conflict that has plagued the South Caucus for 15 years.

The Armenian and Azeri leadership have, for several years, been negotiating to turn a ceasefire into a more durable peace. It is a process that has been long, tiring and frustrating. I applaud the persistence and commitment of the Nagorno-Karabagh authorities and the government of Armenia and I hope that all of their efforts are slowly, but surely, paying off.

In the last week, the new U.S. Co-Chairman of the OSCE Minsk Group Matthew Bryza announced the framework of an agreement that Armenian and Azeri political leaders will soon discuss in an effort to settle the conflict once and for all. In a statement that was issued by the U.S. embassy in Yerevan yesterday, the Minsk Group's American, French and Russian co-chairs said the proposal envisages a self-determination referendum to be held in Karabagh after the redeployment of Armenian troops from Azerbaijani territories surrounding Karabagh.

I hope that this announcement will clear the way for a brighter future for the Karabagh people and for the people of Armenia and Azerbaijan. It is a sad consequence of the war that Armenia and Nagorno-Karabagh have been subjected to a cruel and illegal blockade by Turkey and Azerbaijan, a blockade that continues to undermine the prospects for peace.

Armenia and the government of Nagorno-Karabagh have persisted in looking for ways to ease regional tensions, but the Azeris have too often responded by walking away. It is also not helpful that Azerbaijan has persistently talked of a military build-up even as it ostensibly negotiates with the Karabagh and Armenia. Last December's desecration of Armenian khatchars in Azerbaij an also poisoned the atmosphere surrounding the talks.

I am pleased that the Azeri hostility has not gone unnoticed by our government. Last Thursday, Deputy Assistant Secretary Bryza spoke to Radio Free Europe/Radio Liberty. In response to a question about whether the conflict could resume, he said that it is from the Azeri side "where you most often hear those sorts of threats." And in light of the oil revenues, he went on to say that "It's really quite unhelpful make statements that imply that this increased wealth is going to lead to purchases of arms and military threats."

In my meeting with them, I told Foreign Minister Petrosian and Speaker Ghu1ian how much I admire their commitment to peace and their leadership. Too many families have lost loved ones as a result of this conflict. It has been far too long that displaced refugees have been homeless.

We seem to be at a real turning point in the history of the Caucus region and I am proud that the United States is playing a significant role in the peace process.

## INTRODUCTION OF THE GREAT LAKES WATER PROTECTION ACT

### HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. KIRK. Mr. Speaker, today I am pleased to join with Congressman LIPINSKI to introduce the Great Lakes Water Protection Act. This bipartisan legislation would set a date certain to end sewage dumping in America's largest supply of fresh water, the Great Lakes. More than 27 million Americans depend on the Great Lakes for their drinking water. We need to put a stop to the poisoning of our water supply. Cities along the Great Lakes must become environmental stewards of our country's most precious freshwater ecosystem.

The Great Lakes Water Protection Act gives cities until 2026 to build the full infrastructure needed to prevent sewage dumping into the Great Lakes. Those who violate EPA sewage dumping regulations after that federal deadline will be subject to fines up to $100,000 for every day they are in violation. These fines will go back into State clean water funds. From there, the funds will be spent on wastewater treatment options, with a special focus on greener solutions such as habitat protection and wetland restoration.

This legislation is sorely needed. Many major cities along the Great Lakes do not have the infrastructure needed to divert sewage overflows during times of heavy rainfall. In 2004, the city of Milwaukee dumped 1.6 billion gallons of sewage into Lake Michigan. Sewage pollutes our waters and poses grave health risks to people exposed to it. It also results in beach closings.

Although there was no direct correlation between Milwaukee's sewage dumping and the closing of Chicago-area beaches in 2004, Cook County beach closings nearly tripled from 213 in 2003 to 613 in 2004. I am particularly concerned over the 150 beach day closings in my congressional district in 2004, the latest year tracked. This trend is echoed throughout the Great Lakes region and is one we need to reverse.

Protecting our Great Lakes is one of my top priorities in the Congress. As an original cosponsor of both the Great Lakes Restoration Act and the Save Our Water from Sewage Act, I favor a broad approach to addressing needs in the region. However, we must also move forward with tailored approaches to fix specific problems as we continue to push for more comprehensive reform. I am proud to introduce this important legislation that addresses a key problem facing our Great Lakes, and hope my colleagues will support me in ensuring that these important resources become free from the threat of sewage pollution.

## TRIBUTE TO AIR FORCE COLONEL GARRETT HARENCAK

### HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. NEUGEBAUER. Mr. Speaker, I rise today in special recognition of U.S. Air Force Colonel Garrett Harencak and I wish him good luck as he makes a permanent change of station to Air Combat Command.

Colonel Harencak commanded the 7th Bomb Wing at Dyess Air Force Base in Abilene, Texas from August 2003 to July 2006. Throughout his service at Dyess, he has worked diligently to improve the quality of life for base personnel while providing combat-ready B–1 aircraft, crews and combat support for the United States military.

His tenure in the Big Country is markedly impressive. Team Dyess has won over 40 organizational and individual awards since 2003. Earlier this year, Dyess became the first bomb wing in 13 years to receive an overall outstanding rating following an Air Combat Command Operational Readiness Inspection. In addition, Dyess has received more energy awards than any other military base in the Nation.

Furthermore, Colonel Harencak and his wife, Tanya, were the privileged recipients of the ACC level of the General and Mrs. Jerome F. O'Malley Award for 2006. This distinguished award recognizes the wing commander and spouse whose contributions to the Nation, the Air Force and the local community best exemplify the highest ideals and positive leadership of a military couple in a key Air Force position.

Colonel Harencak truly demonstrates what it means to be a great principal of our country. He has served the Air Force, the men and women of Team Dyess, and the local Abilene community proudly. There is no doubt in my mind that Colonel Harencak has contributed significantly to defending freedom and saving lives. I also know that, as a result of his leadership Dyess will flourish. And it will remain one our Nation's most important bases for years to come.

With that, Mr. Speaker, I would like to thank my good friend Colonel Harencak for his dedicated service to our country. I wish him the best of luck in his next assignment at Air Combat Command.

## RECOGNIZING THE CITY OF KEARNEY

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize the city of Kearney, Missouri. The city of Kearney has long played a vital role as one of the most outstanding communities in Missouri and this year marks the 150th anniversary of the founding of Kearney in 1856.

Kearney was originally settled under the name of Centerville and was first laid out by David T. Duncan and W.A. Cave in the spring of 1856. Eleven years later in 1867, the city of Kearney was again laid out by John Lawrence and was incorporated as a town or village by the Clay County Court April 5, 1869. Kearney was vital to the growth and development of Clay County in those early days as a major thoroughfare for the railroads and that growth and development continues to this day.

As the original birthplace of the infamous outlaw Jesse James, today Kearney has embraced its heritage as a fixture of the Old West and holds the wildly popular Jesse James Festival each year. The festival is just one event among the numerous activities that makes Kearney a wonderful place to work and raise a family. Kearney remains an economic and social focal point of Clay County, bringing in families throughout the country to this historic area and welcoming businesses that are seeking a friendly and vibrant community.

Mr. Speaker, I proudly ask you to join me in recognizing the achievements of Kearney, Missouri, over the past 150 years. Kearney is a wonderful community and its future will surely be as bright as the past 150 years. It is an honor and a privilege to represent such a fine community in the United States Congress.

## INTRODUCTION OF THE TRAUMATIC BRAIN INJURY ACT OF 2006

### HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. PASCRELL. Mr. Speaker, today, my colleague TODD PLATTS of Pennsylvania and I are introducing the Traumatic Brain Injury Act of 2006. We are joined by a bipartisan group of original cosponsors, a complete list of which follows this statement.

Originally passed in 1996 and reauthorized in 2000, the TBI Act is designed to promote sound and coordinated public policy in brain injury prevention, research, education, treatment and community-bases services and supports for individuals living with a TBI and their families. The Act also encourages basic and translational scientific research.

It is the only Federal law that specifically addresses the issues faced by persons with brain injury.

As a founding co-chairman of the Congressional Brain Injury Task Force, I have witnessed first hand how these programs make a difference in people's lives and have worked to educate your colleagues on the enormous impact traumatic brain injury has on our society.

Traumatic Brain Injury (TBI) is a leading cause of death and disability in young Americans. Approximately 1.4 million Americans experience TBI each year. Every 21 seconds, one person in the United States sustains a traumatic brain injury. About half of these cases result in at least short-term disability, and 50,000 people die as a result of their injuries. Every year about 80,000 people sustain severe brain injuries leading to long term disability.

An estimated 5.3 million Americans are living with long term, severe disability as a result of brain injury. The national cost is estimated at more than $60 billion annually.

Individuals with TBI account for 2 percent of the total US population and represent nearly 10 percent of our Nation's disability population.

The statistics involving brain injury are increasing even more now that reports show that traumatic brain injuries account for 14 percent to 20 percent of casualties for those who survive combat in Iraq. Despite the staggering statistics, TBI remains the ''silent epidemic'' in this country.

In fact, the annual incidence and prevalence of TBI is higher than breast cancer, multiple sclerosis, spinal cord injury and HIV/AIDS combined. Despite these staggering statistics, TBI remains a silent epidemic plaguing our Nation.

Traumatic Brain Injury is a unique issue. An epidemic so vast it is almost overwhelming and so personal its effects defy definition. It is a global health problem and there is no cure.

For 10 years, the Traumatic Brain Injury Act has successfully provided direction and legal authority for the vast traumatic brain injury community. The Act was not designed to provide direct care to persons with TBI, but rather, to inform. Before the TBI Act, the State governments were left basically on their own. The Health Resources and Services Administration (HRSA) grants have helped states to improve access to health and other services for persons with TBI. Prior to the 1996 law, they did not have the tools to even assess their own needs.

Thanks to the Centers for Disease Control and Prevention (CDC), we now have a record of incidents including details and prevalence, plans for prevention, and finally, access to treatment. We have also begun to educate the public and provide much needed scientific data for our scientists, healthcare providers and policy makers.

In 1998, the National Institutes of Health (NIH) issued a report on the rehabilitation of persons with brain injury. The consensus was that more research was needed so the NIH established brain injury centers all over the country.

The Traumatic Brain Injury Act of 2006 builds on the law's successes.

It directs the Health Resources and Services Administration (HRSA) to make grants to States to coordinate, expand, and enhance service delivery systems and charges the Centers for Disease Control and Prevention (CDC) with identifying strategies to prevent TBI, as well as increasing awareness and understanding of TBI by implementing public education programs. Finally, the legislation directs the National Institutes of Health (NIH) to conduct much needed basic and applied research on brain injury rehabilitation and development of a cure.

With such a vast and diverse community, it is often difficult for the TBI community to speak with a unified voice. This bill represents a consensus among the national stakeholders who strongly support swift action on the bill this year.

The Congressional Brain Injury Task Force is dedicated to the health of these programs as part of a larger goal of improving the quality of life for those who have sustained brain Injuries.

Mr. Speaker, only a strong commitment will allow us to continue the incredible advances we have made in the area of basic brain research; prevention, detection and early treatment; physical and mental rehabilitation; long-term care and patient advocacy issues.

I invite my colleagues to join me in cosponsoring this critically important bill, and I urge the committee of jurisdiction to consider it without delay.

Original Cosponsors, The Traumatic Brain Injury Act of 2006: PLATTS, ANDREWS, BOSWELL, BOUCHER, BOYD, BRADY (PA), BROWN (SC), BROWN (OH), CAPUANO, CLEAVER, DAVIS (VA), DAVIS (CA), DAVIS (IL), DEFAZIO, DRAKE, EMANUEL, ETHERIDGE, FARR, GOODE, G. GREEN (TX), HAYES, HERSETH, HIGGINS, HINCHEY, HINOJOSA, HOLDEN, HOLT, INGLIS, JACKSON LEE, JEFFERSON, KENNEDY (RI), KILDEE, KUHL, LOBIONDO, MARKEY, MCCARTHY, MCCOTTER, MCDERMOTT, MCGOVERN, MCNULTY, MEEKS, MILLER (FL), MORAN (VA), NADLER, NEAL, OWENS, PALLONE, PAYNE, RUPPERSBERGER, SANDERS, SAXTON, SCHWARTZ (PA), STRICKLAND, TOWNS, VAN HOLLEN, WAXMAN, WEXLER, WOOLSEY, WYNN.

## REMEMBERING STAN TORGERSON

### HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. PICKERING. Mr. Speaker, today, Mississippi pays her respect to a man whose career in journalism and media spanned seven decades: he was "The Voice" of the Ole Miss Rebels for 17 years, he counted sports legends and musical stars as his friends, and any elected official in Mississippi whom he called was certain to respond in person. Today, Meridian buries a great citizen of our State: Stan Torgerson.

Stan passed away at Rush Hospital in Meridian on Monday night at the age of 82, still active in his lifelong media career. He told the Meridian Star last year, "I will continue to work as long as I think I can be productive. I believe in work ethic. I work for three reasons: (1) It's fun; (2) I think I am reasonably good at it; and, (3) It gives me something to do that I enjoy doing. For me, it's not just a way of adding to my income. It's fun."

Stan began his fun work after returning from service in the Navy during World War II. He became a sports broadcaster and disc jockey and moved into radio management. He worked markets in Memphis, Miami, and San Diego and purchased WQIC in Meridian in 1968. While in Memphis, Stan developed a friendship with Sam Phillips and pumped the Sun Records sound over the airwaves as he got to know personally the likes of Elvis Presley and Jerry Lee Lewis. During his sports broadcasting he interviewed Babe Ruth, called games with Hank Aaron playing, and jointly called a game with Harry Caray. Stan used to say "I like to watch the game on the radio. The pictures are better."

For 17 years Stan called play-by-play for Ole Miss basketball; and did the same for 15 years for Ole Miss football. He called about 450 basketball games and 185 football games. As noted during WTOK's tributes to Stan, he was inducted into the National Football Foundation Hall of Fame and was recognized by the Jackson Touchdown Club as one of the Four Most Famous Voices in Mississippi Sports. He also received an Award of Merit from the Ole Miss Alumni Association. He served as an elector on the Heisman Trophy Committee and was appointed chairman of the Mississippi Heisman Trophy Committee in 1993 and served in that capacity for 12 years. In 2005, Stan was appointed by Governor Haley Barbour to a 6-year term on the Mississippi Athletic Commission.

After retiring from his radio station, Stan went to work first as a sports stringer and later as a reporter for the Meridian Star. After several years in print, he moved to WTOK television in Meridian where he worked until his retirement last month. As a journalist Stan was known for hard and insightful questions, but delivered in a fair and honest manner. As a friend, I knew Stan as a man of wit and wisdom. Even in retirement, he continued writing his syndicated sports and culture columns and hosted a monthly wine tasting.

Mr. Speaker, I hope this Congress joins me in remembering Stan Torgerson and expressing our sympathy to his wife of 59 years, Dorothy, and the families of his children Barbara and Larry Stan. For over half a century the airwaves of our country carried the sound of Stan's voice. It is silent now, but the memories will continue to be as vivid as those pictures he painted on the radio.

## CRUISE LINES OVERTIME ABUSES

### HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. OBERSTAR. Mr. Speaker, yesterday at the markup session of the Committee on Transportation and Infrastructure, there was a great debate over whether the seaman's wage penalty law should be changed. These changes have been sought by the foreign-flag cruise industry which has had to payout millions of dollars in damages for not paying thousands of their workers the overtime they had accrued for working more than 70 hours per week.

The Members of this body may be unaware of the types of worker abuses that have occurred in the cruise industry. I am submitting for the record the testimony of Luis Bolanos in support of his claim in U.S. District Court that shows the type of fear and intimidation that cruise ship workers live under if they ask for the overtime pay they have earned.

DECLARATION OF LUIS BOLANOS

Pursuant to 28 USC §1746, Luis Bolanos, hereby declares, under penalty of perjury under the laws of the United States of America that the following is true and correct.

1. I am a class representative in this litigation seeking unpaid overtime wages for me and my co-workers who worked in the catering departments of Norwegian Cruise Lines vessels. We were required by NCL to regularly work more than 70 hours per week but NCL never were paid wages for this overtime work.

2. I was born in Penon Kundinamarca, Colombia on March 2, 1943. I currently am 61 years old. I have a fifth grade education from schools in Colombia. I read and write Spanish. I understand very little English, and I can only read a little English. I have a wife, a son and a daughter. I presently live at 14323 S.W. 180th Terrace, Miami, FL 33177. My son is a veterinary doctor and my daughter works for the United States government.

3. I worked for NCL for over 20 years. The following is my service history, since 1998, with the Norwegian Cruise Line company, as best as I can recall:

Vessel, Dates of Employment, Job Position:

*Norway*, 10/97—mid August 1998, 2d Pastryman.

*Norway*, 11/7/98–8/28/99, 2d Pastryman.

*Norway*, 11/99–8/12/00, 2d Pastryman and 1st Pastryman.

*Norway*, Approx. 11/00–2/17/01, 1st Pastryman.

4. While employed for NCL as a Pastryman, I was responsible for making cakes, cookies, pastries and other baked goods. I worked in the galley of the ship. The jobs of a Pastryman include serving on the main food lines in the galley, cleaning; working at outdoor restaurant buffet once a week at midnight, making pastries and serving the pastries to the waiters who then served it to passengers in the dining room; making breads and cakes and pies and cookies. This work is done in a designated area of the main galley. Approximately twice per week, our department had to do what the company calls "Deep Cleaning" before the ship would come into a U.S. Port. Deep cleaning made the works especially hard because the cleaning we had to do had to make our department absolutely spotless. We had to clean every little space and clean up every speck of dirt. This would sometimes make our work days a little longer. In addition, all of the workers in the Pastry Department had to attend Department Meetings that lasted from 20–30 minutes every morning, and we had to attend another meeting at night once a week or once every two weeks. As a member of the crew, I also had to attend and participate in Fire and Life Boat Drills approximately once per week which would take approximately 1–1½ hours.

5. The itinerary of the *Norway* was almost always from Miami to various islands in the Caribbean and back to Miami. When I signed on and off the ship, I always signed on and off in Miami, which is where my voyages ended and I was paid my salary. I do recall the ship sailing some of the time in Europe, but mostly we sailed to and from Miami. When we sailed out of Miami, the voyages were normally 7 day voyages from Miami to the Caribbean and back.

6. During the period from October 1997 through February 17, 2001, in every week I worked I always worked about 100 hours per week. My standard work hours were as follows:

Sunday thru Friday: 1:00 a.m.–10:00 a.m.; 1:00 p.m.– 3:00 p.m.; 4:30 p.m.–8:00 p.m. Thus, I worked approximately 14½ hours per day Sunday through Friday.

Saturday: 4:00 a.m.–8:00 a.m.; 11:00 a.m.–8:00 p.m. plus 2 additional hours during which I was required to work at the midnight buffet. Thus, on Saturday, I worked a 15 hour day.

7. I observed the hours worked by the other pastry chefs on the ship. They worked usually from 9:00 a.m.–3:00 p.m. and 5:00 p.m.–11:00 p.m. every day. Thus, they worked approximately a 12 hour work day.

8. In the course of a 10 month tour of duty, I would work with approximately 14–15 different workers. These would include the workers who were on the ship when I started my contract, and the individuals who replaced these workers as their contract periods finished.

9. During the twenty years that I worked for NCL, on the S/S *Norway*, I had daily opportunities to observe the hours of work of other people in the food preparation and handling departments, as well as the pantry and utility workers. There are close to 150 people who worked at any one time in the ship's galley. In the Pastry Department, I observed that the other workers all would work more than 70 hours per week. As I recall, the following is the number of Pastrymen I worked with: between 1998 and 2001, we had four (4) 2d Pastrymen, one (1) 1st Pastryman, and two (2) Assistant Pastrymen, except that there were some periods of time that we would carry only three (3) 2d Pastrymen. Based on my personal observation, these NCL employees, on the vessel on which I was employed, all worked 12 or more hours a day, at least six and sometimes seven days a week. All worked in excess of 70 hours a week. The workers, when we had some free time, would talk about our long hours.

10. I learned what my schedule was by what I was told by the Chef, by observing the other workers, and knowing all of the work I had to accomplish each day. The volume of the work I had to do required me to work the long hours I described. There was no written schedule of my hours. It did not matter who my supervisor was. My supervisors, the Executive Chefs on the ship, often changed. When a new Executive Chef came aboard the ship, my hours would remain the same, and so did the other Pastry Chef's hours remain the same.

11. During the entire time that I worked from October 1997 through February 17, 2001, I was never paid extra overtime pay for the hours that I worked in excess of 70 hours per week, as was called for by the contract between Norwegian Cruise Lines and the Norwegian Seaman's Union.

12. Sometime during my service with NCL I became aware that there was a union that had a contract which affected my employment with NCL. This union is known as the Norwegian Seafarer's Union. I learned about it by seeing a copy of the agreement between the company and the union which was in a little red booklet. In 1998, I was given a copy of the contract. In the booklet it states that the pay scale is attached as ''Annex 1''. However, the pay scale was not attached to the contract, and while I worked for the company, I never saw the pay scale which supposedly set my base pay and monthly total guaranteed wage, and overtime rates. Trial exhibit ''8'' is a copy of the little red book I was given on the ship.

13. I never saw any union employees or workers come aboard the *Norway* to discuss the contract it had with NCL. I never met a union representative, and none ever came on the ship while I worked on it. I know of no officers or other employees of the union.

14. Workers on the ship are very much afraid of losing their jobs. Many of them, like me, come from poor families in poor countries. The union cannot prevent people from being fired for trivial things, and there is no guaranty that you will be rehired at the end of your contract. For these reasons, people on the ship do not complain about conditions or the lack of payment of overtime because they are afraid they will be called a troublemaker by supervisors and soon be fired. For people from poor countries, such as from where I came, working on a cruise ship is a good paying job even though the working conditions are terrible. I did not complain about not being paid overtime because I could not afford to lose my job. I had a family to support and they depended on the money I earned.

15. I heard from about 2 people I knew on the ship that said that they complained to an Executive Chef or one of the Sous Chefs about not being paid for overtime hours worked and they were told that the company did not have the money to pay overtime, that is why we were not paid overtime.

16. I worked 7 days a week for as many as 10 months consecutively during my contract periods. I would not see my family for long periods of time which was very sad, however, I had to work, otherwise, my family would have suffered.

17. As a Pastryman, I was given $15 per week for my special skills in preparing items for what is known as the Chocaholic buffet, which was a midnight buffet with many deserts and pastries. The money I was paid was not for overtime, even though at times on my monthly pay check the weekly $15 payment was listed in a category called ''Overtime''. This was paid to me and the other Pastrymen as bonus pay for doing the work for the special function, a side job, and it was not for the time we spent preparing it. In late 1997 and early 1998, I was being paid around $180 per month in bonus money for preparing the Chocaholic Buffet. In mid-1998, this bonus was reduced to around $60 per month.

18. I was very diligent about how I did my job, and I tried to make sure that everything I and my co-workers made was of good quality. In January 2001, I was reprimanded for throwing out a sponge cake that did not come out well. It was baked with frozen eggs because the galley had run out of fresh eggs. The frozen eggs did not work well in the batter, so the cake did not rise well. I knew that this cake could not be served to the passengers. I was reprimanded for throwing it out. Then, in February 2001, I was again reprimanded for having taken some tin bake pans that had been washed to my station. I did not know it, but some of the pans were not washed well and were still somewhat dirty. During an inspection, the pans were seen by a supervisor and he blamed me for having dirty pans in my station. I had not used the pans yet, and did not know that they were not perfectly clean. I would not have used them when it came time to bake with them. Still, I was blamed and was told to sign the warning they tried to give me or be fired. As I felt I was not at fault, I told them I would not sign the warning, so I was fired.

19. I never was told that a supervisor had to give me a special order or I had to ask for approval to work the hours necessary to get the work done. There were no time clocks or time sheets or other methods, of which I am aware, by which NCL recorded the working hours of the crew members in my department. However, my supervisors knew the long hours I was working, and those of the other workers in my department, because it was the supervisors who directed me to get the work done. They would come and observe the work, and required it to be completed to their satisfaction.

20. On my pay envelope and the payroll register there never was a listing of the number of hours I worked multiplied by an hourly rate showing extra overtime pay.

21. After I was fired by NCL, I took a job in a ''Publix'' supermarket, bagging groceries.

## RECOGNIZING AUSTIN MICHAEL MARTENS FOR ACHIEVING THE RANK OF EAGLE SCOUT

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Austin Michael Martens, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 9, and in earning the most prestigious award of Eagle Scout.

Austin has been very active with his troop, participating in many Scout activities. Over the many years Austin has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Austin Michael Martens for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## TRIBUTE TO LISA NOWAK

### HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. VAN HOLLEN. Mr. Speaker, I rise today to commend one of my constituents, Lisa Nowak, a member of the National Aeronautics and Space Administration's (NASA) space shuttle Discovery crew set to perform the STS–121 mission to the International Space Station on July 1, 2006. Ms. Nowak was selected as one of seven members of the Discovery crew, where she will serve as a mission specialist.

With her experience in the U.S. Navy and at NASA, Ms. Nowak's participation in the STS–121 mission represents the culmination of a career filled with numerous accomplishments. Ms. Nowak graduated from C.W. Woodward High School in Rockville, Maryland and went on to obtain a Bachelor of Science degree in Aerospace Engineering from the U.S. Naval Academy in 1985 and Masters of Science degree in Aeronautical Engineering from the U.S. Naval Postgraduate School. After receiving her commission from the U.S. Naval Academy in 1985, Ms. Nowak became a Naval Flight Officer in 1987. While serving as a Naval test pilot, Ms. Nowak received several prestigious awards, including the Navy Commendation Medal and Navy Achievement Medal. In 1996, Ms. Nowak was selected by NASA, becoming

a mission specialist after completing two years of training and evaluation. The STS–121 mission in July will be Ms. Nowak's first mission into space.

During the STS–121 mission to the International Space Station, the crew of the space shuttle Discovery will test new equipment and procedures that increase the safety of the space shuttle. Its mission will be to complete an analysis of safety improvements that debuted on the Return to Flight mission, STS 114, and build upon those tests.

Mr. Speaker, I offer my warmest congratulations to Ms. Nowak. Her work plays a vital role in continued advances and improvements to our space program. Her courage, hard work, and accomplishments serve as an inspiration to us all.

## TRIBUTE TO FIRE DEPARTMENTS FROM WASHINGTON, CLINTON, MARION AND JEFFERSON COUNTIES IN ILLINOIS

### HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the twenty fire departments from Washington, Clinton, Marion and Jefferson Counties in Illinois that, through strength and courage, worked together to put out a massive fire at a warehouse in Nashville, IL. The paint, aerosol cans and paint solvent in the building made the fire especially dangerous. 190 firefighters, of whom 180 were volunteers, worked to put out flames in 800 degree heat to stop the fire from spreading past the 18,000-square-foot section of the warehouse where it initially started.

Under the leadership of Nashville Fire Chief Alan Holt and Assistant Chief Ric James, these men spent 12 hours fighting the fire and accomplished their goal of keeping it contained. Most of the 104,000-square-foot building was saved, and the room next to the fire suffered only smoke and water damage.

I am pleased to thank the fire departments of Nashville, Centralia, Mount Vernon, Hoyleton, Addieville, Okawville, Ashely, Bartelso, Breese, Aviston, Carlyle, Beckemeyer, Germantown, Wheatfield Township, Hoffman, St. Rose, Trenton, Albers, New Baden, and Huey/Ferrin/Boulder for their tremendous effort. I commend them on their display of bravery and dedication.

## FISH STOCKING IN THE NORTH CASCADES NATIONAL PARK COMPLEX

### HON. DOC HASTINGS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. HASTINGS of Washington. Mr. Speaker, today, I am introducing legislation that will enable the continued stocking of fish in certain alpine lakes in the North Cascades National Park Complex, which includes the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

For many decades, volunteer groups—working with the State of Washington have stocked trout in a number of lakes in this area. This provides enhanced recreation and tourism opportunities in the North Cascades.

As you may know, the National Park Service as a general policy is moving away from artificially stocking fish. In this case, however, a 12-year university review indicates that the fish stocking program can be carried out in such a way as to not adversely affect the environment.

In order to protect this longstanding practice in the North Cascades, I am introducing legislation today that affirms that fish stocking can continue under certain conditions. While I believe the National Park Service already has the authority to do this under the act that established the park in 1968, the agency requires further clarification from Congress in order to proceed with a proposed management plan revision that would allow this practice to continue under the auspices of the Washington Department of Fish and Wildlife.

I am pleased to be joined today upon introduction of this bill by RICK LARSEN, NORM DICKS, and CATHY MCMORRIS. I look forward to working with my colleagues from Washington to make sure that our constituents can continue to enjoy the recreation opportunities created by fish stocking in the North Cascades.

## RECOGNIZING JOSHUA WEST

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Joshua West a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 249, and in earning the most prestigious award of Eagle Scout.

Joshua has been very active with his troop, participating in many scout activities. Over the many years Joshua has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Joshua West for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## A TRIBUTE TO SAME RACADIO FOR 18 YEARS AS CITY MANAGER OF HIGHLAND, CALIFORNIA

### HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. LEWIS of California. Mr. Speaker, I would like today to pay tribute to a longtime public servant, Sam Racadio, who as city manager has been a guiding force in the growth of Highland, California from an unformed new city into a municipality known for a dedication to a high standard of living.

For the past 35 years, Sam Racadio has been a hard-working and energetic public servant in city government. He went to work as an intern in the City of Riverside just after graduating from the University of Redlands, and even spent several years in the Peace Corps as a municipal advisor in Maracay, Venezuela.

After some years in city government in Tulare, California, Sam Racadio returned to the Inland Empire as city manager for three years in Banning, California—a fast-growing city in my district.

The late 1980s were a boom time for new cities in San Bernardino County, and one of the most promising, but least organized, of those new municipalities decided to hire Mr. Racadio as its first city manager. When he joined Highland in 1987, he was just the second employee of the city of 28,000, and the city government worked out of a small trailer.

Highland had a small commercial tax base and few businesses of any size when it gained cityhood, and some analysts warned that the new city would have a shaky budget and could fail. To save money for the future, Mr. Racadio vacuumed floors, cleaned bathrooms and gathered up trash.

By continuing that dedication to saving taxpayer dollars, Sam Racadio has helped build Highland into a thriving city that now has a population of more than 50,000. There are three new parks, a City Hall, and a community center. Coming soon are a municipal pool, a library and athletic center.

Mr. Speaker, I was delighted to work with Mr. Racadio on the development of a city environmental learning center, which will provide access to hands-on, state-of-the-art science facilities for school children and city residents. When it is completed, it will be a model for cooperation between city officials, schools and federal agencies.

As my colleagues can imagine, Mr. Racadio's visionary work as a city manager has been widely recognized among his peers. He has served on the League of California Cities Board of Directors, and was president of the City Manager's Department of the League in 1999. He was president of the San Bernardino County City Managers Association from 1990 to 1998. He was the inaugural recipient of the James A. Thalman Memorial Public Service Award from the Inland Division of the league of cities and received numerous other awards.

Mr. Speaker, after 35 years of public service and 18 years of dedication to the City of Highland, Sam Racadio is retiring to travel with his wife of 36 years, Len. Please join me in thanking him for all he has done to make his community a better place, and wish him well in his future endeavors.

## TRIBUTE TO MIKE VADALA

### HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. WALSH. Mr. Speaker, it is with great pleasure that I rise today to recognize the retirement of Mike Vadala as the Chairman of the National Association of Federal Credit Unions (NAFCU). Elected to the NAFCU Board in 1997, Mike has been a leader in the

credit union community both nationally and within my great State of New York.

For the past 9 years, Mr. Vadala has been balancing his time as a NAFCU Board Member including this past year as the Chairman of the NAFCU Board, along with his responsibilities as President/CEO of The Summit Federal Credit Union. With over 67,000 members in northern New York, The Summit FCU has fostered many savings programs targeted to today's youth by teaching the importance of saving through targeted programs ranging from kindergarten through college. Mr. Vadala has worked hard to promote financial education programs and has armed his members with protecting themselves against identity theft.

Throughout his tenure as Chairman of the NAFCU Board of Directors, Mr. Vadala worked tirelessly to enhance the federal credit union charter by working with Congress for regulatory relief legislation for credit unions. As Chairman, he has also helped maintain NAFCU's status as a leading credit union trade association.

Mr. Vadala has proven himself to be a true gentleman. I have seen him walking the halls of Congress many times carrying the torch for the credit union industry and he has testified before this Congress on multiple occasions on issues important to credit unions. Although there might have been occasion where we may have not agreed, this did not deter Mr. Vadala from continuing his loyal service to NAFCU.

Many would think that the work he does for credit unions would be enough to fill a day, but that is not the case. He is also a dedicated family man, as well. Mr. Vadala and his family have played a huge role in fundraising for the United Way in upstate New York. He was also the former Chairperson of the March of Dimes Walk America. His work with these organizations has made a huge impact on thousands of lives in New York and beyond. Also, Mr. Speaker I could refer to Mr. Vadala without mentioning that he is one of the biggest Syracuse Orange fan that I have ever had the privilege to meet. And I would like to share one more "Go Orange" with Mr. Vadala as he concludes his time on the NAFCU Board.

I rise today to congratulate Mr. Mike Vadala on his fine work throughout his illustrious tenure as Chair of NAFCU. I have worked with him on issues that are important to the credit union community in the past and I am committed to continuing this relationship. With more than 20 years experience in the credit union community, there is no doubt in my mind that our good friends at NAFCU will feel a great void once he steps down. Congratulations on your retirement from the NAFCU Board Mr. Vadala.

## RAISE THE MINIMUM WAGE

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. KUCINICH. Mr. Speaker, it is imperative that Congress act now to raise the minimum wage. In 2004, 37 million Americans lived below the poverty line, a 1.1 million increase from the year before. In 2004, 13 million children in America lived below the poverty line and more than one in six children was poor.

Yet in the richest country on earth, there is no guarantee that a full time job will lift a family out of a situation of dire poverty and need. That's because full-time year round minimum wage earnings of $5.15 an hour equal leaves a family of three 31 percent below the poverty line. A minimum wage worker, working 40 hours a week, 52 weeks a year earns $10,700 a year, $5,000 below the poverty line for a family of three.

The current minimum wage fails to provide enough income to enable minimum wage workers to afford adequate housing. According to the National Low Income Housing Coalition, an employed full time worker would need to earn an hourly wage of at least $15.78 to afford a two-bedroom rental nationally. At the current minimum wage, a family with two full time year round minimum wage earners would fall short of this standard by $5.48 collectively. It's no wonder that so many families struggle to put a roof over their heads and food on the table. A 2005 study found that 40 percent of adults seeking emergency food aid were employed.

We can directly help these families and children by increasing the federal minimum wage. It is estimated that over 7 million workers would receive an increase in their hourly wage if the minimum wage were raised to just $7.25 an hour, as proposed in Congressman MILLER's legislation, the Fair Minimum Wage Act. An additional 8.2 million workers earning up to a dollar above the new minimum wage would also benefit.

What kind of Nation have we become when work ceases to be a bridge out of poverty? A nation in which a basic full time job doesn't protect against hunger, homelessness, or poverty. It is a travesty that in the face of these realities, the realities that working Americans confront daily, Congress has not raised the minimum wage since 1997. We can and must change this by increasing the minimum wage now.

## RECOGNIZING CHAD THOMAS STEPHENS FOR ACHIEVING THE RANK OF EAGLE SCOUT

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Chad Thomas Stephens, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout.

Chad has been very active with his troop, participating in many scout activities. He has camped at the H. Roe Bartle Scout Reservation for 6 years and attended the National Jamboree in 2005 while serving as the Senior Patrol Leader for Heart America Troop 1211. Over the many years Chad has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Chad Thomas Stephens for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## TRIBUTE TO BRITTANY GILBERT

### HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. LANGEVIN. Mr. Speaker, I rise today to recognize Brittany Gilbert, who had the great honor of presenting her exhibit, "John James Audubon: The American Woodsman Taking a Stand," at the Smithsonian American Art Museum's Renwick Gallery before the National History Day contest. Brittany, a student at North Kingstown High School, and 18 other students were chosen out of more than 2,000 participating finalists.

The National History Day program allows students to create exhibits, documentaries and performances, by using their critical thinking and research skills in the subject of history. A basic knowledge of history is essential for our Nation's children to become informed participants in our democracy, and National History Day is promoting history education in Rbode Island and throughout the Nation. National History Day empowers teachers to improve history education so that every student will have historical knowledge and skills to contribute to the public good of our Nation.

Mr. Speaker, I ask my colleagues to join me in congratulating Brittany, and may she have continued success in all her future endeavors.

## TRIBUTE TO THE MACOMB COUNTY CLERK'S OFFICE AND THE MT. CLEMENS REGIONAL SOCIAL SECURITY OFFICE

### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. LEVIN. Mr. Speaker, I rise to commend the Macomb County Clerk's office and the Mt. Clemens Regional Social Security office for an innovative new partnership which is expected to improve customer service, reduce unnecessary administrative work, and save Social Security over $257,000 over the next 5 years alone.

As you know, the Immigration Reform and Terrorist Prevention Act required the Social Security Administration to verify all birth records before issuing Social Security cards. In most offices, that means Social Security staff have to go in person to the county clerk's office with stacks of birth records, which the clerk's staff then manually verify. The process is time-consuming and labor-intensive for both offices, and sometimes results in unnecessary delays for people waiting for new or replacement Social Security cards.

Macomb County Clerk Carmela Sabaugh, in cooperation with Social Security Administration District Manager William Seaman, has implemented a very different system. Under Macomb County's system, Social Security employees are able to instantly verify birth record authenticity using a secure Internet page available only to Social Security employees with federal security clearance. The first-in-the nation Macomb County process builds on the digital imaging for vital records that Sabaugh implemented last year. It's faster and easier, but no less effective and secure than the old way.

I'm proud that our local offices took the initiative and came up with a better way to implement this new requirement. Thanks to their innovation, staff will spend more time serving the public and less time processing paperwork. That's better for Social Security, better for the Clerk's office, and best of all, better for all the Macomb County residents they serve.

## INTRODUCTION OF THE WE THE PEOPLE ACT

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. PAUL. Mr. Speaker, I rise to introduce the We the People Act. The We the People Act forbids federal courts, including the Supreme Court, from adjudicating cases concerning state laws and polices relating to religious liberties or ''privacy,'' including cases involving sexual practices, sexual orientation or reproduction. The We the People Act also protects the traditional definition of marriage from judicial activism by ensuring the Supreme Court cannot abuse the equal protection clause to redefine marriage. In order to hold federal judges accountable for abusing their powers, the act also provides that a judge who violates the act's limitations on judicial power shall either be impeached by Congress or removed by the president, according to rules established by the Congress.

The United States Constitution gives Congress the authority to establish and limit the jurisdiction of the lower federal courts and limit the jurisdiction of the Supreme Court. The Founders intended Congress to use this authority to correct abuses of power by the federal judiciary.

Some may claim that an activist judiciary that strikes down state laws at will expands individual liberty. Proponents of this claim overlook the fact that the best guarantor of true liberty is decentralized political institutions, while the greatest threat to liberty is concentrated power. This is why the Constitution carefully limits the power of the federal government over the states.

In recent years, we have seen numerous abuses of power by federal courts. Federal judges regularly strike down state and local laws on subjects such as religious liberty, sexual orientation, family relations, education, and abortion. This government by federal judiciary causes a virtual nullification of the Tenth Amendment's limitations on federal power. Furthermore, when federal judges impose their preferred polices on state and local governments, instead of respecting the polices adopted by those elected by, and thus accountable to, the people, republican government is threatened. Article IV, section 4 of the United States Constitution guarantees each state a republican form of government. Thus, Congress must act when the executive or judicial branch threatens the republican governments of the individual states. Therefore, Congress has a responsibility to stop federal judges from running roughshod over state and local laws. The Founders would certainly have supported congressional action to reign in federal judges who tell citizens where they can and can't place manger scenes at Christmas.

Mr. Speaker, even some supporters of liberalized abortion laws have admitted that the Supreme Court's Roe v. Wade decision, which overturned the abortion laws of all fifty states, is flawed. The Supreme Court's Establishment Clause jurisdiction has also drawn criticism from across the political spectrum. Perhaps more importantly, attempts to resolve, by judicial fiat, important issues like abortion and the expression of religious belief in the public square increase social strife and conflict. The only way to resolve controversial social issues like abortion and school prayer is to restore respect for the right of state and local governments to adopt polices that reflect the beliefs of the citizens of those jurisdictions. I would remind my colleagues and the federal judiciary that, under our Constitutional system, there is no reason why the people of New York and the people of Texas should have the same polices regarding issues such as marriage and school prayer.

Unless Congress acts, a state's authority to define and regulate marriage may be the next victim of activist judges. After all, such a decision would simply take the Supreme Court's decision in the Lawrence case, which overturned all state sodomy laws, to its logical conclusion. Congress must launch a preemptive strike against any further federal usurpation of the states' authority to regulate marriage by removing issues concerning the definition of marriage from the jurisdiction of federal courts.

Although marriage is licensed and otherwise regulated by the states, government did not create the institution of marriage. Government regulation of marriage is based on state recognition of the practices and customs formulated by private individuals interacting in civil institutions, such as churches and synagogues. Having federal officials, whether judges, bureaucrats, or congressmen, impose a new definition of marriage on the people is an act of social engineering profoundly hostile to liberty.

It is long past time that Congress exercises its authority to protect the republican government of the states from out-of-control federal judges. Therefore, I urge my colleagues to cosponsor the We the People Act.

## RECOGNIZING JACOB LEE WIER FOR ACHIEVING THE RANK OF EAGLE SCOUT

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jacob Lee Wier, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout.

Jacob has been very active with his troop, participating in many scout activities. He has camped at the H. Roe Bartle Scout Reservation for six years and earned the rank of Firebuilder in the Tribe of Mic-O-Say. Over the many years Jacob has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Jacob Lee Wier for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## INTRODUCTION OF THE CHILDREN'S HEALTH FEDERAL TRADE COMMISSION AUTHORITY RESTORATION ACT

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Ms. NORTON. Mr. Speaker, I am pleased today to introduce legislation to restore the Federal Trade Commission's (FTC) authority to regulate marketing to children under the age of 18 in order to help eliminate an epidemic of overweight and obesity that studies link to pervasive advertising of junk food to the Nation's youth. A similar provision has been introduced as part of a larger bill in the Senate, and former President Clinton is taking a leading role in efforts to control the rapid increase in overweight and obesity in children. Yet Congress has failed to take decisive action, despite definitive studies that show that childhood obesity has become one of the Nation's most serious health issues, creating a surge in debilitating diseases we are seeing for the first time in kids.

The Centers for Disease Control reports that 12.5 million children and adolescents, ages 2–19, are overweight, a rate that has tripled in the last 40 years. As a result, the incidence of Type 2 diabetes in children, a disease that is mainly associated with adults, has become widespread in recent years. Overweight children have a more than 70 percent chance of being overweight adults, putting them at risk for many serious health conditions, such as high blood pressure, asthma and heart disease. Many of these children are obese in part because they watch so much television, on the average, over 2 hours a day. However, a study by the congressionally chartered Institute of Medicine (IOM) found extraordinary growth in new food products targeted to children, from just 52 new product introductions in 1994 to close to 500 just last year. Significantly, the IOM report finds that advertisements during children's programming feature foods high in fat, with little to no nutritional value.

The problem is even greater in programming geared toward African American television consumers, adults and children alike. A summer 2005 survey of programming on Black Entertainment Television (BET) found that 66 percent of the ads were for fast food commercials. The study monitored commercials during the afternoon hours, when children watch cartoons and ''tween'' shows. The WB Network and Disney Channel were also monitored in the study. During that time slot, over 1,000 ads were shown on all three channels. Only 34 percent of ads on the WB promoted fast foods, and none at all on the Disney channel. McDonald's was the leading fast food advertiser on BET. Further, 82 percent of advertisements on BET were for soda, with the WB at 11 percent. The Disney Channel accounted for only 6 percent of soda advertisements. Advertisements for snacks accounted for 60 percent of BET programming, 40 percent on the Disney Channel and none

on the WB. As a result of increased fast food advertising, children are more likely to consume an additional 167 calories a day, a caloric intake that further exacerbates already high obesity rates. Currently, obesity affects nearly 18 percent of black children compared to 14 percent of white children.

These studies are evidence that the estimated $15 billion spent on junk food marketing in the last year is adversely affecting the eating habits, and consequently, the health of our nation's youth. This marketing is especially problematic in poor, predominately African American neighborhoods, many of which have no access to fresh and healthy food products due to a dearth in neighborhood grocery stores. This problem is highlighted here in the District where the lowest income wards attract corner convenience stores that feature unhealthy, fatty foods in abundance, but do not provide foods of significant nutritional value that assist both in the intellectual and physical growth and development of children.

The FTC and Federal Communications Commission (FCC) have historically shared joint jurisdiction over advertising to children. The FCC first implemented regulations on children's advertising in 1974, setting limits on the amount of advertising per hour during children's programs, but these limits do not address the content of the ads. Under current law, the Children's Television Act of 1990, advertising during children's programming is restricted to no more than 10½ minutes per hour on the weekends, and 12 minutes per hour on the weekdays. However, these ''restrictions'' are simply an adoption of what is already the established industry norm.

In 1978, the Federal Trade Commission recommended banning television advertising to children under the age of eight after research at the time indicated that marketing to young children was unfair because young children do not understand the persuasive intent of advertising, thereby establishing an unfair and deceptive act or practice. However, industry lobbyists filed a lawsuit against the FTC, and lobbied Congress instead to pass the FTC Improvement Act of 1980, which stripped the FTC of its authority to issue industry-wide regulations to stop unfair advertising practices.

The debate still continues, however, as the IOM's recent report recommends banning television advertising to children even up to the age of twelve, and the American Psychological Association (APA) says that children under the age of nine cannot understand persuasive intent. Nevertheless, the methods for advertising products to children have become more sophisticated. Marketing strategies now include Internet games, specialized product placement in stores, as well as cartoon character endorsements like those that featured Sponge Bob Square Pants endorsing Burger King products, and promoting unhealthy eating habits.

Ironically, funding will lapse this year for a successful program I cosponsored that turned television on its head, and according to studies, has effectively used TV to get children active. The Youth Media Campaign—VERB™ program, the brainchild of the former chair of the Labor/HHS subcommittee, Jon Porter, with whom I collaborated when I had a similar bill, received no funding in the President's Fiscal Year 2007 budget, and the program, despite its demonstrated effectiveness, has received less and less funding since its inception, from an initial appropriation of $125 million. The VERB™ program focuses children on physical activity at a time when physical education is often no longer a required component of school curricula. Through print, radio, internet and television advertising targeted at the nation's 21 million children aged 9–13 years, VERB™ programming emphasized free-time, outside of the classroom where children traditionally are at play. The program also featured a multicultural message, giving extra focus to African American and Hispanic youth who have the highest incidence of childhood obesity. Most important, two recent evaluations of VERB™ have found the program to be remarkably effective. VERB™ offered the first concrete hope of progress against the alarming surge in debilitating diseases we are now seeing for the first time in children, and I sincerely hope that the Congress will again fund this program to ensure its continued success.

However, I am pleased to join with Senator TOM HARKIN, who has introduced this language in the Senate as part of a more comprehensive bill promoting healthy lifestyles and disease prevention. I am also pleased to join with others, such as former President Clinton, who has joined with the Nickelodeon Channel to promote responsible, healthy food choices and lifestyles. I urge my colleagues to support this legislation.

## HONORING THE RIDE FOR LORRAINE

### HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mrs. LOWEY. Mr. Speaker, I rise today to recognize the accomplishments of the Ride for Lorraine, a charity bike ride to benefit the National Transplant Assistance Fund (NTAF) and raise awareness for stem cell research.

The Ride for Lorraine, a five-day bike ride beginning in Hartsdale, New York, honors Lorraine Valentini, a former High School English Literature teacher, volunteer firefighter, and U.S. Masters Gold Medal Cyclist. Lorraine's life was tragically altered in May 2005 when the spinal cord injuries she suffered in a bike accident left her paralyzed below the neck.

During the five-day trip, Lorraine's family, friends and supporters will stop at the Dana and Christopher Reeve Paralysis Foundation in New Jersey, the Kennedy Krieger Institute in Maryland, and finally here at the Capitol Building. I encourage all of my colleagues to listen to their message that stem cell research can bring cures and therapies for many devastating and debilitating conditions.

These dedicated, passionate participants are working hard to not only raise awareness for stem cell research, but to raise money for Lorraine's daily care and rehabilitation while directing donations to the NTAF to aid other transplant and catastrophic injury patients.

Mr. Speaker, I urge my colleagues to join me in honoring the efforts of teamLorraine.org and wishing the Ride for Lorraine participants luck.

## PERSONAL EXPLANATION

### HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. HYDE. Mr. Speaker, on June 27 and 28, 2006, I was absent for several votes for personal reasons. Had I been present, I would have voted: Vote Nos. 319, ''yes''; 320, ''yes''; 321, ''yes''; 326, ''no''; 327, ''no''; 328, ''no''; 329, ''yes''; 330, ''no''; 331, ''no''; 332, ''no''; 333, ''no''; 334, ''no''; 335, ''no''; 336, ''no''; 337, ''no''; 338, ''no''; 339, ''no''; 340, ''no''; 341, ''no''; 342, ''no''; 343, ''no''; 344, ''no''; 345, ''no''; 346, ''no.''

## RECOGNIZING BRENT TRAUGOT SAVIGNE FOR ACHIEVING THE RANK OF EAGLE SCOUT

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Brent Traugot Savigne, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 395, and in earning the most prestigious award of Eagle Scout.

Brent has been very active with his troop, participating in many scout activities. He has camped at the H. Roe Bartle Scout Reservation for 6 years and earned the rank of Tom-Tom Beater in the Tribe of Mic-O-Say. Over the many years Brent has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Brent Traugot Savigne for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## CONGRATULATING THE STAR COMMUNITY NEWSPAPERS

### HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. BURGESS. Mr. Speaker, I rise today to congratulate the Little Elm Journal, the McKinney Courier Gazette, and the Frisco Enterprise as they and their staffers took home numerous awards in the Texas Press Association's 2006 Better Newspapers Contest. These Star Community newspapers, which are read throughout my district, were among 194 papers and 1740 total entries in the contest.

The Little Elm Journal was named the best paper for news photography in a small weekly as well as receiving the winner's plaque for feature stories written by former staff writer Corina Miller. The Journal also took second place in news writing by community editor Devin Monk, third place in sports coverage, and fourth place in sweepstakes.

The McKinney Courier-Gazette took second-place honors in the small daily division for

page design and third-place recognition for feature stories. The Frisco Enterprise won a second-place prize for editorials; third place in general excellence; third places in feature story and feature photo; fourth places in sports photo and in headline writing. It was also fourth in the overall sweepstakes contest.

I extend my sincere congratulations to these newspapers on their outstanding achievements in journalism. Their hard work, dedication, and success in delivering the news and informing the community deserve the highest recognition and congratulations. Accurate and informative news is a cornerstone of democracy, and the Star Community papers are a credit to the journalism trade.

## PERSONAL EXPLANATION

### HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. CALVERT. Mr. Speaker, last night, during a series of two-minute votes, I inadvertently voted "no" on rollcall No. 340. I had intended to vote "aye." I would like to make it clear for the record, that I do not support the multilingual ballot provision in the Voting Rights Act, and that I oppose such provisions that mandate financial burdens on the states and further divide this great Nation.

## IN TRIBUTE TO JUNE PERRY, OUTGOING EXECUTIVE DIRECTOR OF NEW CONCEPT SELF DEVELOPMENT CENTER

### HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Ms. MOORE of Wisconsin. Mr. Speaker, I rise to pay tribute to a woman in my district who has dedicated her career to improving the quality of life for African American children and their families. June Perry, co-founder and Executive Director of New Concept Self Development Center, retires this month after 31 years at the helm of this multifaceted human services agency.

Equipped with a master's degree in social work and experience working in Milwaukee County's child protective services, June Perry started New Concept Self Development Center in 1975. Understanding that intervening in the cycle of poverty requires prevention as well as treatment, she built an institution to provide appropriate and high quality mental health and social services to residents of Milwaukee's central city. Over the last three decades, New Concept tackled a wide range of issues, ranging from teen pregnancy and high school drop-out prevention to crisis counseling for survivors of Hurricane Katrina. Always on the lookout for new ways to approach old problems, June Perry's leadership has been characterized by a passion for innovation, a strong commitment to collaboration, and the determination to do what it takes to serve the community.

Not only has Ms. Perry developed innovative social service programs, she is also a noted leader and expert in the field of nonprofit management. She has participated in management programs at the Denali Institute, the Annie E. Casey Foundation, and the prestigious Stanford University School of Business. She has received numerous national and local awards for her work, including the Women of Influence award from the Business Journal, the Trailblazer award from the Black Women's Network, and the President's Points of Light Award.

Mr. Speaker, I think it is safe to say that June Perry's efforts have touched the lives of tens of thousands of Milwaukee residents, over the course of several generations. Rather than wait for someone else to address the problems that plague our community, she has never hesitated to step up and marshal resources to implement solutions. I am honored to have this opportunity to thank her for her tireless advocacy and unwavering commitment to the children and families of our community, and to wish her a long and rewarding retirement.

## SALUTING THE CALIFORNIA STATE UNIVERSITY, FULLERTON TITANS IN COLLEGE WORLD SERIES

### HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I would like to take a moment and congratulate the Cal State Fullerton Titans' baseball team for their remarkable season and outstanding run at the College World Series title.

Cal State Fullerton made the journey to Omaha for the 14th time in the program's 32-year Division I history. The Titans hold four past College World Series Championships (1979, 1984, 1995, and 2004) and for the first time since 1995, they entered the College World Series undefeated in NCAA Tournament play by sweeping regional and super-regional play.

Although the Titans did not win the College World Series, their sweat and hard work paid off, as they had three players, Justin Turner, Danny Dorn and David Cooper represented on the 60th NCAA College World Series All-Tournament Team.

The Titans finished their remarkable season with a winning record of 50–15 and had nine players drafted in this year's Major League Baseball First-Year Player Draft, which is an incredible accomplishment.

I admire the hard work and efforts of these young men after a long and competitive season. It is not an easy task to make it to the College World Series. The city of Fullerton and the State of California are very proud of your efforts.

Congratulations to head coach George Horton, assistant coaches Rick Vanderhook, Jason Gill, Ted Silva, the Titan baseball players, and all the Titan fans on a great season. Remember the Titans! Next year will be our year!

## THE U.S.-OMAN FREE TRADE AGREEMENT

### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. KILDEE. Mr. Speaker, I have voted against every harmful and unbalanced trade agreement that has come before this house. I would welcome the opportunity to vote for an agreement with strong and enforcable labor and environmental protections. Unfortunately the U.S.-Oman FTA has neither of these and I will be voting against this bad trade deal. The FTA falls way short of the labor protections that must be included to make it an acceptable agreement.

This FTA is just like CAFTA. It looks the same . . . feels the same . . . and has the same problems. We need a "time-out" on trade and stop this "race to the bottom." Our trade policy has not been in the best interest of U.S. workers, small businesses, farmers or the economy and environment. Our trade agreements have not significantly raised the living standards in foreign nations. And U.S. trade policy has forced American workers to compete on an uneven playing field.

We must defeat this harmful and unbalanced U.S.-Oman FTA.

## IN HONOR OF MICHAEL OWEN O'MALLEY

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Michael Owen O'Malley, devoted family man, dear friend, United States Veteran and decorated Lieutenant with the Cleveland Police Department, Mr. O'Malley's courageous and compassionate heart framed his 45-year tenure with the Cleveland Police Department as Patrolman, Sergeant and Lieutenant.

Mr. O'Malley was born on June 30, 1930, to Michael and Mary O'Malley of County Mayo, Ireland. He was raised on the West side of Cleveland, where he was taught by his parents the significant lessons of family, faith and giving back to others. He graduated from Wes High School, enlisted in the U.S. Army and honorably served in the Korean War. In 1954, he married Mary Ginley O'Malley. Then, as today, family is the center and foundation of their lives. Together, Michael and Mary raised their six children: Patricia, Margaret, Michael, Patrick, James and Mary K., and remain a foundation of love and support for their children and nine grandchildren.

He was awarded several citations for bravery, one of which reflected his courage and selflessness as he placed his own life in danger when he entered a burning building and carried a resident out to safety.

Beyond time spent with family, Mr. O'Malley is an active member of the community. He is a longtime member of St. Angela's Parish, and has volunteered his time and talents with the West Side Irish American Club, American Legion, and the Mayo Society. Mr. and Mrs. O'Malley love and appreciate the simple treasures in life, including visiting relatives and

friends in Ireland, spending time at their condo in Catawba, and Mr. O'Malley's natural knack for making wonderful pancakes for his nine grandchildren.

Mr. Speaker and Colleagues, please join me in honor, gratitude and recognition of Michael Owen O'Malley, whose joyous life is an ongoing source of love, devotion, and inspiration to his family and friends as they gather to celebrate his 76th birthday and to recognize his continuous commitment to his family, friends and community. His work in securing the welfare and safety of the residents of the City of Cleveland is framed by exceptional courage, heart, dignity and integrity, and has forever raised the spirits and lives of countless individuals and families throughout our community. I wish Mr. O'Malley and his family an abundance of peace, health and happiness, today and for all days to come.

## A TRIBUTE TO THE LIFE OF GEORGE McKEAN

### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. COSTA. Mr. Speaker, I rise today to remember and pay tribute to the life of George McKean. Mr. McKean was devoted to his family and to his hometown, Riverdale, where he was a prominent figure in agriculture, business and civic life. He passed away on May 18, 2006.

At a very young age, Mr. McKean became involved with their family's business, McKean's Grocery Store which they have owned for over 65 years. Aside from working at the grocery store, he was constantly involved in his community and has helped obtain services that were needed such as water, sewer, waste disposal and fire protection.

George played a significant role in his hometown's farming industry and its surrounding communities. He has had a longtime involvement in a farming operation in the Riverdale, Kings River and North Fork areas. Together with his brother, he owned and leased 970 acres of farmland of which one-third is in cotton and the rest with wheat, barley and alfalfa. He served as the Director of Ranchers Cotton Oil and spearheaded the formation of West Valley Cotton Growers Gin where he also served as President.

In addition to farming, Mr. McKean dedicated his attention to the water industry in his community. He served as the Division IV Director for the Kings River Conservation District from 1972–1995. Mr. McKean's term in the KRCD comprises many accomplishments including the formation of the Mid-Valley Water Authority, which he has chaired since 1982. George has given a significant consideration to water as he recognizes the need for a supplemental water supply for deficit areas such as his community. Mr. McKean was a strong advocate for the alleviation of chronic groundwater overdraft conditions in his region. He was a past chairman of the Kings River Conservation District and was a member of the Fresno County Water Advisory Committee.

Mr. McKean was an active proponent for water and farming but he has also served his country and his hometown of Riverdale in other significant ways. During World War II, he joined the U.S. Coast Guard where he served his country from 1942 to 1945. He served local organizations such as Rodeo Association, American Legion, Veterans of Foreign Wars, Lions Club, Chamber of Commerce, Volunteer Fire Department, Public Utility District, and Elementary School Board of Trustees. For his outstanding efforts, the Riverdale Chamber of Commerce chose him as the Man of the Year in 1979. Furthermore, he served as the Director of Caruthers' Bank and as a Financial Chairman for Congressman Bernice Sisk.

Mr. McKean was preceded in death by Myrtle, his wife of 65 years; and his brother Archie. He is survived by his brother, Charles; his daughter Carol Copley and her husband Ron; his son George D. McKean II and his wife Linda; his daughter Debbie Ella and her husband Craig; his son Mark McKean and his wife Megan. He is also survived by eight grandchildren and six great-grandchildren.

George McKean devoted his life to his country, community and family where his dedication and love was unwavering. His zeal and commitment to advance his community will be missed, as well as an inspiration for us all. His life and his accomplishments will always be remembered.

## INTRODUCTION OF THE RAIL AND PUBLIC TRANSPORTATION SECURITY ACT OF 2006

### HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. THOMPSON of Mississippi. Mr. Speaker, next month marks the first anniversary of the London mass transit bombings. On July 7 and, subsequently, July 21, Americans watched in shock as terrorists struck at the heart of our ally's mass transit and bus systems, killing 56 people and injuring more than 700 others. The July 7 attack started at the heart of rush hour, with three bombs exploding at 8:50 a.m. on London's Underground subway system. Less than an hour later at 9:47 a.m., as London's subway system was completely shut down, an explosion tore through the back of the number 30 Hackney to Marble Arch bus. The victims of these attacks were ordinary people, not that different from many Americans, who were going about their usual routine of commuting to work, school, or tourist sites.

After the bombings, Congress called on the Administration to move quickly to reinforce our Nation's rail and mass transit systems to prevent such an attack from happening on American soil. Yet, nearly a year later, the Department of Homeland Security and the Transportation Security Administration (TSA) have failed to produce a comprehensive strategy to secure America's rail and mass transit systems. In addition, the Department and TSA continue to focus almost exclusively on aviation security, spending $9 per air passenger, as compared to only one penny per rail/mass transit security passenger.

The Department has made excuses for this failure by stating that mass transit security is a shared responsibility between Federal, State, and local partners, and that the Federal Government has provided significant support for the past three years. This ''partnership,'' however, has long left state and local governments paying the check without really knowing what they are paying for and why.

The Department's failures extend beyond its ability to get along with state and local Governments. The Department has not actively engaged the private sector and frontline employees of the rail and mass transit systems. These men and women are the eyes and ears of these systems, yet the Administration has not adequately consulted with them on its initiatives. Nor has the Administration ensured that they are trained to respond to a terrorist event.

Finally, the Federal Government has not moved forward with critical plans to secure our Nation's rail and mass transits. Instead, the Administration continues to approach the problem with piecemeal solutions instead of developing an overarching strategy that could be used to guide initiatives. Similarly, the Administration also has failed to devote significant resources and manpower to rail and mass transit research and development (R&D). Technology will play an important role in deterring and preventing future chemical, biological, or chemical attacks.

The Rail and Public Transportation Security Act of 2006 will make our Country more secure by mandating that the Department of Homeland Security take concrete and decisive steps to secure our Nation's rail and public transportation systems. This bill requires a National Rail and Public Transportation Security Plan which will supplement the existing National Strategy for Transportation Security. This plan will (1) clarify roles and responsibilities of Federal, State, and local agencies in securing rail and public transportation systems; (2) strengthen intelligence sharing, (3) lay out plans for public outreach and education initiatives; (4) create a framework for resuming operations in the event of an attack; (5) include a strategy and timeline for research and development of new security technologies; and (6) describe lessons learned from past attacks.

The bill also requires the creation of Area Rail and Public Transportation Security Plans. Modeled after the Area Maritime Transportation Security Plans required under current law for regions with several ports, these area plans will strengthen security planning in regions where there are more than one rail or public transportation entity, such as in the New York-New Jersey area.

Furthermore, the bill requires Rail and Public Transportation Systems to submit vulnerability assessments and security plans to the Department for approval. Modeled after the vulnerability assessments and security plans that ports already have to submit under current law, these provisions will ensure that rail and public transportation systems adequately evaluate their risks and vulnerabilities and are taking steps to address any security weaknesses. The Secretary must approve or disapprove each vulnerability assessment and security plan. Vulnerability assessments and security plans must be reviewed and updated at least every five years.

These plans will be useless unless enforced. For that reason, this bill gives the Secretary the authority to issue administrative and civil penalties for violations and to seek criminal penalties for knowing and intentional violations.

Information and intelligence sharing must also be improved. This bill will fix the current problems by requiring the Department of Homeland Security, in consultation with the Department of Transportation, to issue a Rail and Public Transportation Strategic Information Sharing Plan to strengthen the intelligence updates provided to rail and public transportation systems.

Another critical component to this bill is its provisions improving training and exercises. If an attack does occur in the United States, proper training and exercises could make the difference between life and death for front-line workers, first responders, and passengers. This bill requires rail and public transportation systems to train their employees on how to prevent, prepare for, and respond to a terrorist attack. It also establishes a Rail and Public Transportation Security Exercise Program to test the preparedness of rail and public transportation systems for a terrorist attack.

It will cost substantial sums to implement the security measures needed to prevent a possible attack on U.S. rail and public transportation systems. This bill authorizes $400 million per year over the next 6 years for a grant program dedicated to rail and public transportation security. In addition, this bill authorizes $150 million over the next 3 years for advanced research and development that will find solutions to the security threats faced by rail and public transportation systems. Finally, the bill authorizes $26.4 million per year over the next 6 years to hire 200 new rail security inspectors per year. There are only 100 rail security inspectors at the present time.

The security gap remaining in rail and public transportation is still a major threat to our Nation. The Rail and Public Transportation Security Act of 2006 will take substantial steps to close that security gap. I hope this Congress moves quickly to pass this bill.

## TRIBUTE TO DOUG TANNER

### HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to honor a man and a moment in history. The U.S. Congress has been blessed by the vision and the faith of the Reverend Douglas Tanner, and we have been deeply moved by his invocation today.

Mr. Speaker, it takes wisdom to lead the leaders of men. It takes faith to hear the voice of the spirit through the rush and tumble of the U.S. Congress. But the Bible says that ''many are called, but few are chosen.''

God knew that the humility and the faith of Rev. Doug Tanner would serve as a powerful witness among us. As the founder and leader of the Faith and Politics Institute, he has led us on a moral mission. He has led us on a journey of the soul through meditation and prayer. He has led us through the pilgrimages through Alabama, Tennessee, and Virginia. He has helped to remind us that our faith is the key to all that we can accomplish here.

Mr. Speaker, when historians pick up their pens and write the story of this Congress in the latter part of the 20th century and the first part of the 21st century, they will have to say that one man, who was not chosen by men, but was chosen by God, led Democrats and Republicans, Members of the House and the Senate to understand that the way of peace, the way of love, the way of non-violence is the more excellent way.

Doug, we are deeply indebted to you for all that you have done to help build Beloved Community. We are deeply grateful for your vision, for your courage and your faith.

## TRIBUTE TO SPECIALIST KEVIN DOWNS

### HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. COOPER. Mr. Speaker, what does it mean to be a hero today? We each have our own ideas about what act of bravery earns a man or woman that very special privilege—the honor to be called a hero, to be saluted by friends and neighbors and strangers alike for doing something extraordinary that, at that moment in time, just seemed like the right thing to do.

Today, I am honored to stand before you here, on the floor of the House of the Representatives, to tell you and all of America about someone I consider a true hero. This young man has inspired me and so many others around the world who have heard his story of courage and patriotism.

On August 13th, 2005, Specialist Kevin Downs of Kingston Springs, Tennessee was traveling in a Humvee near the city of Tuz in northeastern Iraq with three other members of the 278th Armored Calvary Regiment. The Humvee was struck by four explosive devices. Kevin was blown 60 feet. He lost both legs, his arm was broken, he was severely burned over 60 percent of his body, including bums to his eyes, throat and lungs. He was 20 years old and had been in Iraq eight months.

Specialist Downs was the only survivor of the IED attack that day. His three friends, crewmates and fellow Tennesseans were killed that day: 22-year-old Gary Lee Reese of Ashland City, 35-year-old Staff Sgt. Asbury ''Fred'' Hawn, Jr of Lebanon and 30-year-old Shannon D. Taylor of Smithville.

Specialist Downs was first evacuated to a hospital in Germany where his injuries were stabilized. As his father Joe told friends and reporters at the time: ''The young man is fighting and battling, and he's going to make it.'' Joe and Catherine Downs remained at his bedside during his time in the ICU in Germany.

As soon as possible, Kevin was transferred to a burn unit at the Brooke Army Medical Center in Fort Sam Houston in San Antonio, Texas. But the challenges were far from over. Since his injuries almost one year ago, Kevin has endured more surgeries than his family can even count—two in the last ten days. He is able to get around using a wheelchair today, his father reports. And he is learning to maneuver using his prosthesis. His father adds that any time he and Catherine fall into the habit of saying they'll do something for him, Kevin politely but firmly refuses saying, no, he wants to do it for himself.

Kevin's determination and positive outlook have touched the hearts of so many. Thanks to local news coverage of his challenges, Kevin has received thousands of letters of support from folks around the world. His resolve and bravery as he faces the latest surgeries and treatment have made him a true hero to all of us in Tennessee.

We had all hoped Kevin would be able to join us this July 4th for the annual Independence Day Parade in Pegram. He's doing great, his family reports, but it looks like his treatment is going to keep him in Texas just a little longer. But Kevin is going to be the Grand Marshall of the parade anyway. His parents will be there in his place on the 4th—and we all look forward to the day when we get to welcome Kevin back home to Tennessee and have the chance to thank him personally for his service to our country and congratulate him on his recent promotion to sergeant.

## IN RECOGNITION OF JERRY AND VIRGINIA GREENWOOD

### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. ROGERS of Alabama. Mr. Speaker, I would like to pay tribute to a very special occasion today—the 50th wedding anniversary of Jerry and Virginia Greenwood.

In April of 1954, Jerry Greenwood of Blue Mountain, and Virginia Hicks of Oxford met while working together at the Anniston Playland Skating Rink. Mr. and Mrs. Greenwood married 2 years later, on June 30, 1956. They lived and worked in Oxford, and moved to Blue Mountain where Jerry worked for the City of Anniston Parks and Recreation Department.

The couple relocated to Saks and raised their two sons, Rodney and Ryan. Mr. Greenwood was involved in the Saks Youth baseball program and coached and sponsored several of his sons' teams. Mr. Greenwood retired from the City of Anniston and opened Greenwood Auto Sales, while Mrs. Greenwood retired from Blue Mountain Industries.

Today, the couple attends Saks Baptist Church, where Mr. Greenwood once served as the bi-vocational music director. They are proud grandparents of Chase, Cameron, Caylor, Carmyn and Cassady Greenwood.

I salute this lovely couple on the 50th year of their life together and join their family in honoring them on this special occasion.

## TRIBUTE TO MIKE VADALA

### HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. REYNOLDS. Mr. Speaker, it is with great pleasure that I rise today to recognize the retirement of Mike Vadala as the Chairman of the National Association of Federal Credit Unions (NAFCU). Elected to the NAFCU Board in 1997, Mike has been a leader in the credit union community both nationally and within my great state of New York.

For the past 9 years, Mr. Vadala has been balancing his time as a NAFCU Board Member including this past year as the Chairman of the NAFCU Board, along with his responsibilities as President/CEO of The Summit

Federal Credit Union. With over 67,000 members in northern New York, The Summit FCU has fostered many savings programs targeted to today's youth by teaching the importance of saving through targeted programs ranging from kindergarten through college. Mr. Vadala has worked hard to promote financial education programs and has armed his members with protecting themselves against identity theft.

Throughout his tenure as Chairman of the NAFCU Board of Directors, Mr. Vadala worked tirelessly to enhance the federal credit union charter by working with Congress for regulatory relief legislation for credit unions. As Chairman, he has also helped maintain NAFCU's status as a leading credit union trade association.

Mr. Vadala has proven himself to be a true gentleman. I have seen him walking the Halls of Congress many times carrying the torch for the credit union industry, and he has testified before this Congress on multiple occasions on issues important to credit unions.

Many would think that the work he does for credit unions would be enough to fill a day, but Mr. Vadala does much more. He is a dedicated family man as well. Mr. Vadala and his family have played a huge role in fundraising for the United Way in upstate New York. He was also the former Chairperson of the March of Dimes Walk America. His work with these organizations has made a huge impact on thousands of lives in New York and beyond. Also Mr. Speaker, I could not fail to mention that Mr. Vadala is one of the biggest Syracuse Orange fans I have ever had the privilege to meet; I would like to share one more "Go Orange" with Mr. Vadala as he concludes his time on the NAFCU Board.

I rise today to congratulate Mr. Mike Vadala on his fine work throughout his illustrious tenure as Chair of NAFCU. I have worked with him on issues that are important to the credit union community in the past and I am committed to continuing this relationship.

With more than 20 years experience in the credit union community, there is no doubt in my mind that our good friends at NAFCU will feel a great void once he steps down. Congratulations on your retirement from the NAFCU Board Mr. Vadala.

## CONGRATULATING CURTIS SILER ON HIS LIFE SAVING ACTION

### HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Curtis Siler of Flower Mound, Texas, who rescued a drowning girl during a day trip to a local water park.

Twelve-year-old Curtis Siler and his mother, Tanya Siler, were spending the day at Hurricane Harbor, an Arlington, Texas water-based park. While swimming in the deeper end of the wave pool, Siler noticed a young girl resting on the bottom of the pool. He realized that her eyes had rolled back in her head and she was not moving. Without hesitation, Siler dove to the bottom, grabbed the girl, and brought her to the surface. He then called for the help of a lifeguard.

Thanks to the actions of Curtis Siler, lifeguards were able to get the girl to safety and begin first aid, ultimately saving her life.

I extend my sincere congratulations to young Curtis Siler for his heroic actions and true concern for the welfare of others. I admire his bravery during such a grave situation. He is truly an inspiration to us all. I am honored to represent Curtis and his family in Washington.

## ARTICLE ON IMMIGRATION

### HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. VAN HOLLEN. Mr. Speaker, I would like bring to the attention of our colleagues in this House an opinion editorial (Baltimore Sun, May 11, 2006), written by my constituent Stephen Nordlinger, which I submit for the RECORD. Mr. Nordlinger is a former Washington correspondent for the Baltimore Sun.

Mr. Nordlinger's article highlights an issue that has received scant attention in the debate over immigration reform, namely the need to improve and streamline the process for legal immigrants to obtain a green card and eventually qualify for citizenship. Congress has never provided the funds to satisfactorily implement legislation passed in 2000 to ease the immigration process for those who entered the country legally. As a result, those who played by the rules find themselves waiting for years in a bureaucratic maze for their applications to be processed. This creates the perception that those who play by the rules get penalized. As we work to fix our broken system, we must provide the resources that are necessary to ensure that individuals like Mr. Veng Preap, who is the subject of this article, are treated with the dignity and respect they deserve.

[From the Baltimore Sun, May 11, 2006]

AN IMMIGRANT'S STORY

(By Stephen Nordlinger)

My wife and I first met Veng Preap on a sultry fall day when we walked into the offices of the U.N. Educational, Scientific and Cultural Organization on a busy street in the center of Siem Reap, near the Angkor Wat complex in Cambodia. We carried a letter from a friend of his in Washington and a pile of World Bank books on international development that Mr. Preap's friend suggested for him.

Veng Preap, not his real name to protect his privacy, took us everywhere to see the Angkor monuments and spent evenings speaking with us about his life and such subjects as civil engineering and Buddhism and his views toward organized religion. He showed us the large computer maps he had made as part of the effort by UNESCO to preserve the Angkor complex.

On our final day in Siem Reap, I spoke with Mr. Preap about coming to the United States. My wife and I were bowled over by his abilities, especially his rich English vocabulary, for someone who had never left Cambodia. We discussed sponsoring Mr. Preap for a year of study in his specialty, geographic information systems, a highly valued skill for producing computer-based maps. Less than a year later, he arrived at Towson University, its first Cambodian student.

He is still in this country nearly 10 years later, and his contribution to the United States has been substantial. He has seized opportunity after opportunity for public service.

His life here shows what a talented immigrant can contribute. But at the same time, his American experience is sending another clear message: how easily our government can overlook such a gifted person. It is a message that Congress should heed as it considers new immigration legislation.

Mr. Preap has been waiting on line five years and counting on government approval of the first step toward getting a green card to realize his dream of becoming a permanent resident and citizen. It is not the fault of government immigration workers. Congress never provided the funds to carry out legislation passed in 2000 that was intended to ease the immigration process for those like Mr. Preap who had entered the country legally, and there was a flood of applications.

Mr. Preap did not have to stay in this country beyond the original year we planned together. But how could such a hugely able person return to impoverished Cambodia, especially when a long-standing dispute between UNESCO and the corrupt authoritarian government had idled him for a year? The Khmer Rouge killed his mother and sister when he was 7. The current government allowed his wife's property to be stolen.

Mr. Preap considers himself an American even without the necessary documents. He relishes speaking English. While growing up in Cambodia, he pursued his desire to learn English often by studying alone and by candlelight for fear of being arrested or worse because such studies were banned. At Towson, he insisted on living in a dormitory with American students rather than in an international enclave.

Over the past few years, he has earned a second bachelor's degree in geography at Towson and a master's in computer science at Strayer University. He has volunteered for more than 6 years to teach computers to poor Americans and foreigners. He worked for the Voice of America broadcasting to Cambodia. He helped film a documentary on the tsunami disaster. And he helped prepare a giant map for the rotunda at the National Museum of American History showing the various kinds of voting machinery in the nation's election districts.

All the while, he has paid taxes on his limited income.

Mr. Preap is a skilled computer teacher. The community center where he volunteers has asked him to come two nights a week because it cannot find teachers with his ability. The Internet runs job offers for his skill in geographic information systems.

People speak in the abstract about immigration, and much of the discussion is about the need for more farm and restaurant workers. But here is an example of a hugely talented, hard-working immigrant being needlessly thwarted by our government. Mr. Preap cannot take a job and settle down because our immigration system won't let him.

Not only are we not taking full advantage of skilled talent among the immigrants, but we may be on the verge of causing more disappointments, by the millions. The huge number of immigrants who have come out of the shadows to demonstrate for the right to become citizens may find a long, long waiting line. The system is just too cumbersome and underfunded.

Unless the Bush administration and Congress provide new resources, it is all too likely that broken borders will be replaced by broken promises.

## SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

SPEECH OF

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2006*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5672) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and for other purposes:

Mr. VISCLOSKY. Mr. Chairman, I rise today in support of Representative BROWN's amendment to increase funding for the International Trade Administration's Office of China Compliance (OCC) by $3 million in FY 2007. I thank the gentleman for the opportunity to speak, although I wish the circumstances of my appearance here were different. Simply put, full and effective enforcement of our trade laws is not just the right thing to do; it has become an absolute imperative as we see the growing challenges facing American manufacturers. Will Rogers used to say, ''Even if you're on the right track, you'll get run over if you just sit there.'' Funding for the Office of China Compliance must be increased to reflect the seriousness of this issue to American workers and the economy as a whole.

I would like to draw the attention of my colleagues to a recent report on NPR's Marketplace that highlighted an ongoing practice by China's textile industry called ''transshipment.'' Last year, the USTR and Chinese Commerce Minister agreed to a 3-year pact limiting China's exports of 34 textile and apparel products to the United States. We now find out that China had no intention of sticking to its end of this bargain. Not 8 months after signing the agreement, China has been warned by Indonesia for its continued manipulation of textile exports, which are sent into Indonesia, slapped with a ''Made in Indonesia'' label, and shipped back to China before making their way into the United States, at levels far greater than what both countries agreed upon. These garments are not sent to Indonesia for anything other than this valuable label. According to Indonesia's Minister of Industry, Chinese transshipments through Indonesia alone amounted to an estimated $6 billion in 2005. Thus far in 2006, these illegal shipments are up 79 percent over last year. It is crucial that we stand up against these unscrupulous Chinese trade practices and invest in our efforts to monitor those who skirt international trade laws.

China continues to violate international trade laws, basic human rights, and its World Trade Organization commitments. While we watch imports from China streaming into our ports and shipping hubs, we are left with few options to defend our Nation's manufacturing industries and local jobs. However, we have trade remedies to mitigate this. It is time for the Bush administration to use the funds we are providing and enforce our trade laws. I am offended by the lack of action by this administration with the tools it has had available. We know that goods from China are coming into this country illegally, many of which were made with the help of government subsidies. We know that those imports are hurting U.S. companies and workers. We know that China's disregard for international trade laws only encourages more companies to ship their jobs overseas. This administration must enforce our laws relative to China.

Mr. Chairman, I encourage my colleagues to support this amendment. Increased funding for the Office of China Compliance will increase our ability to monitor Chinese trade and help to stem the tide of illegal imports. American workers and firms are depending on us to consider the real impact of illegal Chinese trade: more outsourcing of American jobs and a weakened American economy. Once again, I thank the gentleman for the opportunity to speak today, and I urge my colleagues to support this critical amendment.

## SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

SPEECH OF

### HON. STENY H. HOYER

MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2006*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5672) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and for other purposes:

Mr. HOYER. Mr. Chairman, I rise in strong opposition to the Stearns amendment.

I cannot think of a more pernicious amendment that is being considered today than this amendment.

For more than 30 years, Section 203 of the Voting Rights Act has ensured that U.S. Citizens, who may require assistance to cast an educated vote in a language other than English, have the ability to vote in the language in which they are most adept.

Section 203 has proven to be a constitutional, just, and practical way to maximize voter participation and ensure our democracy truly reflects its citizens.

Every Member of this body who cares about voting rights should join me in condemning the amendment before us.

It is nothing short of a cynical attempt to disinfranchise eligible voters and to undermine core protections afforded by the Voting Rights Act.

I urge my colleagues to oppose this attempt to roll back the clock on civil rights.

Defeat the Stearns amendment.

## COMMENDING AMBASSADOR RICHARD HOLBROOKE'S ARTICLE, ''TURNING TO THE U.N., AGAIN''

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. LANTOS. Mr. Speaker, I commend to my colleagues a very important op-ed by a very distinguished American diplomat, the former U.S Permanent Representative to the United Nations, Ambassador Richard Holbrooke. His article, ''Turning to the U.N., Again,'' which appeared in the Washington Post on June 28th, provides us with a critical reminder that the UN, though a flawed institution, remains ''indispensable to the United States.''

Ambassador Holbrooke points out that, earlier this month, President Bush once again turned to America's great ally in New York, United Nations Secretary General Kofi Annan, to help the Administration secure its most pressing foreign policy goal, cementing a political compact for Iraq. Kofi Annan is a great friend of the United States and a great personal friend of mine. I share Ambassador Holbrooke's confidence that the distinguished Secretary General, will use his good offices to convene a series of international meetings with the purpose of hammering out a new ''Iraq Compact.''

Mr. Speaker, after noting this latest instance of the United States turning again to the UN for help, Ambassador Holbrooke argues that it is critical to America's core interests to strengthen the United Nations. As he so eloquently states, it is time for the Administration to move past its internal debate about the UN, ''whether to support it or abandon it, to use it or bypass it.'' Ambassador Holbrooke is absolutely correct that this ambivalence toward the UN has undermined our Nation's ability to lead the effort to reform the UN.

Mr. Speaker, I ask that the full text of Ambassador Holbrooke's important article be placed in the RECORD and I urge my colleagues to read it carefully and thoughtfully.

[From the Washington Post, June 28, 2006]

TURNING TO THE U.N., AGAIN

(By Richard Holbrooke)

In a little-noticed announcement in President Bush's news conference on June 14, the day he returned from Iraq, he said that he would send two personal emissaries to New York to consult with U.N. Secretary General Kofi Annan on the political and economic future of Iraq. The next day, still with remarkably little public attention, Philip Zelikow, the counselor of the State Department, and Deputy Treasury Secretary Robert Kimmitt met with Annan and his deputy, Mark Malloch Brown, at the secretary general's Sutton Place residence. There was no one else present.

The two presidential envoys asked Annan to use his unique ''convening powers'' to help organize international meetings that would lead (by this fall, the Americans hope) to the unveiling of a new ''Iraq Compact''—an agreement between the Iraqi government and major international donors that would commit Baghdad to a series of political and economic reforms in return for substantially more international aid. (Iraqi Prime Minister Nouri al-Maliki called Annan the same day to make an identical request.)

This is a good idea—and quite similar to suggestions from many administration critics. With the battle for Baghdad raging, it remains to be seen whether an Iraq Compact will work—or even get off the ground—but it is certainly an important step in the right direction for Iraq and for American policy.

For Annan and the United Nations, Bush's request poses an ironic and difficult challenge. On the one hand, the administration is asking for help on the worst problem it faces, acknowledging, however belatedly and reluctantly, that once again, the United Nations is not only relevant but at times indispensable to the United States. On the other hand, the resentment among the majority of U.N. member states over the way the institution has been treated recently, especially by Washington's current U.N. ambassador,

makes any effort to get the United Nations to help the United States far more difficult.

How to treat the United Nations has been a particular dilemma for President Bush, since opponents of the organization form an important part of the administration's core constituency. Internal disagreements over the past five years about whether to support it or abandon it, to use it or bypass it, have both weakened the organization and led to reduced U.S. influence even as more and more intractable issues are thrown into its hands.

The United Nations is facing major budgetary problems caused primarily by American insistence on a six-month budget cycle instead of the normal two-year cycle. It must deal with growing shortfalls in the U.S. contribution to peacekeeping funding, despite Washington's calls for more peacekeepers in Darfur and elsewhere. And it is confronted by a deadlock over rebuilding the headquarters complex in New York—a deadlock whose main cause is the administration's failure to push Congress for proper funding. (This is particularly difficult to understand, since the U.N. signature building, its 38-story East River office tower—built in 1950 and never subject to modern safety codes—is widely acknowledged to be the major building in New York most vulnerable to a terrorist attack. For example, when the president visits it, the Secret Service closes down FDR Drive beneath it—but what about the rest of the time?)

Still, even though Annan and the world body have been diminished by Washington, he and his colleagues simply cannot refuse to help on the Iraq matter; it is their responsibility as international civil servants to go where the problems are worst and then to do their best. And, on the basis of private talks with Annan, Malloch Brown and administration officials, I have no doubt that they intend to do just that. In fact, Malloch Brown has already agreed to travel to Baghdad very soon for preliminary meetings that the United Nations and the United States hope will culminate later this year in a high-level conference in the region. As Annan moves into his last six months as secretary general, this would be the right way to end a turbulent decade in that office—with a genuine contribution to the cause of peace in Iraq.

It is, however, impossible not to note the irony and the implications of what has happened in the past two weeks between Washington and the United Nations. Once again, an administration that has underfunded, undersupported and undermined the United Nations has turned to it, almost in desperation, for help.

The lesson should be clear: Despite the enormously self-destructive actions of many other member states, especially the group of developing nations called the G–77, the United Nations still serves U.S. foreign policy interests in many important ways. Not only Iraq but also Iran, Darfur, Afghanistan and the difficult negotiations just started over Kosovo's final status—all issues of vital importance to the United States—have now ended up in the United Nations. To weaken this institution further, as has happened in recent years, serves no clear American national security interest. To strengthen it would make it more valuable to the United States and to every nation that seeks conflict resolution, stability and economic progress. With the maneuvering over the selection of Annan's successor underway, it is time for Washington—and this must include Congress—to put behind it a sorry period of confusion and offer the United Nations more support, both financial and political, in return for the things it needs in Iraq and elsewhere.

## RECOGNIZING THE SERVICE OF COLONEL LARRY D. RUGGLEY

### HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. TANNER. Mr. Speaker, I rise today to recognize a very distinguished military leader who is retiring after 34 years of service to this country. I rise today to congratulate Colonel Larry D. Ruggley on his retirement, thank him for his dedication to our country and acknowledge the important leadership role he has played in the United States Army.

A little more than 3 years ago, Colonel Ruggley assumed command of the United States Army Garrison at Fort Campbell, a portion of which I am proud to represent in the Congress. Colonel Ruggley and I have worked closely together on numerous occasions during his service at Fort Campbell, and I am very appreciative of his understanding of the mission of the Army, its role in protecting our country and the needs of each man and woman who wears the uniform of the United States Army. Colonel Ruggley's contributions have been immensely valuable.

Colonel Ruggley's long and impressive career began in 1971 when he was an enlisted soldier in the Army Security Agency. He graduated as the Distinguished Military Graduate from Ohio University and was commissioned in 1978 as an Infantry Officer, then served his first assignment at Berlin Brigade, Germany. He went on to complete numerous other leadership assignments: 2nd Battalion, 7th Special Forces Group (Airborne); 7th Infantry Division (Light); 1st Special Warfare Training Group and D Company, 1st Battalion, Fort Bragg, North Carolina; Special Operations Command Europe, Bosnia, and 3rd Battalion, 3rd Special Forces Group (Airborne).

His unit participated in the African Crisis Response Initiative in Malawi and Uganda and other missions in Africa. After command, he became the Deputy Director of Training and Doctrine and then Chief of Staff of the John F. Kennedy Special Warfare Center and School until 2000. After completing the Army War College, Colonel Ruggley was assigned to the Army Special Operations Command as the Deputy Chief of Staff for Personnel from 2001–2003, after which he became Garrison Commander at Fort Campbell, home of the 101st Airborne Division. During his 3-year tenure he oversaw superb support during a tumultuous time for the 101st Airborne Division as they redeployed from war, transformed and redeployed to Iraq last year.

Colonel Ruggley's many awards and decorations include the Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal w/4OLC, Joint Service Commendation Medal w/1OLC, Army Commendation Medal w/1OLC, Joint Service Achievement Medal, Army Achievement Medal 3/OLC, Joint Meritorious Unit Award, Army Superior Unit Award, Army Good Conduct Medal, Army Occupation Medal, National Defense Service Medal 1/OLC, Army Service Ribbon, Overseas Service Ribbon, and NATO Medal. He also has been awarded the Ranger Tab and Special Forces Tab, is a Master Parachutist, HALO Parachutist, and holds the Expert Infantryman Badge. He completed a Masters Degree in Administration from Central Michigan University and received a Masters Degree in Military Studies while attending the War College.

Mr. Speaker, Colonel Ruggley will now retire from his service in the United States Army, and Colonel Frederick W. Swope will assume the responsibility of Garrison Commander. I hope you and our colleagues will join me in welcoming Colonel Swope to his new post and recognizing the accomplished and distinguished service of Colonel Larry Ruggley, an outstanding military hero, a proven American patriot and my friend. We thank him for all he has done for his country and wish him, his wife Marie and their four children, all the best as Colonel Ruggley enters this new phase of his life.

## PAYING TRIBUTE TO COLONEL WILLIAM M. ''GOLDIE'' AND MARY GOLDFEIN

### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. PORTER. Mr. Speaker, I rise today to honor William "Goldie" and Mary Goldfein, who will be celebrating their 50th wedding anniversary on July 22, 2006.

Goldie and Mary met in Japan in 1955. Goldie was assigned as a new officer and fighter pilot, and Mary worked as a school teacher for the Department of Defense. After their marriage in 1956, the Goldfiens had three boys, all of whom currently serve in the United States Air Force: Steve, a Major General, Dave, a selectee for Brigadier General, and Mike, a Lieutenant Colonel. They also enjoy six grandchildren, Alex, a Lieutenant in the Air Force, Travis, a senior in college, Dani, who is entering college in the fall, Diana, who is 16, Scott, who is 12, and Hannah, who is 10. All of Goldie and Mary's sons and one of their grandsons have graduated from the United States Air Force Academy.

Goldie, his sons, and grandson have accumulated over 100 years of military service and that number continues to grow. Mary has dedicated thousands of hours of service on numerous Air Force Bases. The most notable in their 20 years of service was serving as the Nanoscience and Technology and the Combined Federal campaign director.

The Goldfiens retired from the United States Air Force at Nellis Air Force Base in Las Vegas, Nevada.

Mr. Speaker, I am honored to recognize William and Mary Goldfein on the floor of the House. I commend them for their contributions to the United States Air Force, Southern Nevada community, and especially the airmen stationed at Nellis Air Force Base.

## SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

SPEECH OF

### HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2006*

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 5672) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and for other purposes:

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

I acknowledge that this is a controversial issue, and it has been a difficult decision for me. While scientific evidence is inconclusive and the medical community has yet to speak with one voice as to whether there is a unique, therapeutic benefit to inhaled marijuana, some studies suggest that marijuana can relieve pain, nausea, and appetite loss. I have heard from many patients, suffering from some of life's most challenging conditions, who have informed me that the therapeutic value of inhaled marijuana is unmatched. I have always supported further study of medical marijuana because of the potential to ease the suffering of the many Americans dealing with chronic illness and disease

While I have not supported amendments similar to this one in the past, the issue is different for me this year, as the Representative from the Second Congressional District of Rhode Island. Since we last debated this issue in June 2005, the state legislature of Rhode Island has passed—and the state Department of Health has implemented—a law allowing for legal access to medical marijuana. Under this law, the state established a registry that issues identification cards to qualifying patients or caregivers who register with the state. These patients, who suffer from an approved list of conditions including cancer, multiple sclerosis and AIDS, must provide certification from a Rhode Island physician. Once approved in the registry, the patient or a designated caregiver is permitted to possess up to a certain amount of cultivated marijuana and to grow up to 12 marijuana plants. The statewide discussion over the issue made clear that my constituents overwhelmingly support regulated access to marijuana for medical purposes; and the state legislature responded with overwhelming support by overriding a governor's veto with significantly more than the necessary 2/3 support in each chamber. I am aware that I now represent some constituents who are using medical marijuana, in compliance with state laws. I am also aware that under federal law, these Rhode Island patients run the risk of being arrested and prosecuted for federal drug offenses—and this troubles me greatly.

My vote for the Hinchey amendment should not be interpreted as an unconditional endorsement of medical marijuana. I do believe the therapy deserves further clinical trials and scientific scrutiny. As we move forward with these policy discussions, we must bear in mind that marijuana is a narcotic and therapeutic usage must be carefully controlled. However, I rise today in support of the Hinchey amendment because I do not want my constituents, or those of the ten other states that have passed similar laws, to live in fear of arrest when they are complying with state law.

I urge my colleagues to support the Hinchey amendment, as well as the further study of the therapeutic value of medical marijuana.

## SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

SPEECH OF

### HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 27, 2006*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R 5672) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and for other purposes:

Mr. WELLER. Mr. Chairman, I rise today in strong support of the amendment offered by the gentleman from Minnesota, Mr. KENNEDY to H.R. 5672, the Science, State, Justice, Commerce, and Related Agencies Appropriations Act for Fiscal Year 2007.

The amendment in question would increase the funding for the Edward Byrne Justice Assistance Grant Program by $50 million which would bring the committee's total mark for the program to $608 million. I strongly believe passage of this amendment is critical. The Edward Byrne Justice Grant Program provides States and local units of government the necessary flexibility in creating programs to address local needs when it comes to crime prevention and enforcement.

A prime example of how this funding can lead to great success in a community happened just yesterday back in my home district. In LaSalle County, Illinois, a anti-drug task force was established to address the growing problem of drug use in many of their communities.

Yesterday, this anti-drug task force arrested the brother of the head of the Chicago-based gang called Gangsters Disciples for dealing heroin and cocaine in the county. The apprehension of this dangerous criminal will further reduce the heroin and cocaine flowing into LaSalle County.

The reason this arrest was such a great success story of the Edward Byrne Justice Assistance Grant program is that the task force is funded almost entirely by Byrne grant funding. The success story in LaSalle County, Illinois, is one of many from the Byrne grant program.

In closing Mr. Chairman, I want to thank Chairman FRANK WOLF for providing a $142 million increase from last year's funding level for our local police forces. I also want to thank Congressman KENNEDY for offering this critical amendment that will provide our local law enforcement officers with a larger pool of funding to further protect our communities. I urge all my colleagues in the House of Representatives to support its passage.

## SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2007

SPEECH OF

### HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 28, 2006*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 5672) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and for other purposes:

Mr. MOORE of Kansas. Mr. Chairman, June 28, 2006, I voted in favor of the Hinchey amendment to H.R. 5672, the FY 2007 Science, State, Justice, and Commerce Appropriations Act.

Eleven states have passed laws to allow the use of medical marijuana. This amendment would prohibit federal funds from being used to prevent the states of Alaska, California, Colorado, Hawaii, Maine, Montana, Rhode Island, Nevada, Oregon, Vermont, or Washington from implementing state laws authorizing a physician to prescribe the use of medical marijuana for their patients in those states. I voted for this amendment because I do not believe that the federal government should be preempting state medical laws approved by either the state legislature or voter referendum.

I served as Johnson County District Attorney for 12 years. I do not believe in the legalization of drugs. But this amendment has to do with compassion for people who are suffering from horrible pain or may be dying, and the ability of doctors in states in which those people live to provide means by which their suffering can be relieved.

Medical marijuana may alleviate suffering from debilitating diseases such as AIDS, cancer, glaucoma and multiple sclerosis. Some contend it has no medicinal value whatsoever. Regardless of one's opinions within this debate, the federal government should not be spending our limited funding for law enforcement to target American citizens in states where the voters or the legislature have passed laws allowing for the use of medical marijuana. To be clear, this amendment would do nothing to legalize marijuana use for any purpose in states, such as Kansas, where voters or the legislature have not approved measures to allow marijuana for medical use.

Under the provisions of this amendment, patients in states that have enacted laws to allow the use of medical marijuana would be prescribed the medication under the direction and careful supervision of their physician. Patients would not be permitted to use this medication for any other purpose.

## HONORING THE MEMORY OF MASSEY PALMER BEDSOLE, JR.

### HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. BONNER. Mr. Speaker, the city of Mobile and, indeed, the entire State of Alabama recently lost a dear friend, and I rise today to honor him and pay tribute to his memory.

Born in Mobile on July 21, 1928, Massey Palmer Bedsole, Jr., graduated from University Military School and then Virginia Military Institute. Upon graduation from V.M.I., Palmer served 2 years as an infantry officer, 1 year as an intelligence officer and later, in Korea, during the Korean War.

As a native of Mobile, Palmer was known by many as a champion of the arts, civic leader and philanthropist.

For many years, he was the chairman of the J.L. Bedsole Foundation, which focuses primarily on civic projects. Among other things,

the foundation funds a scholarship program that provides assistance for area students from southwest Alabama to go to college, and also runs the MLK Avenue Redevelopment Corporation, which assists housing construction in lower income neighborhoods in and around Mobile.

In addition to these programs, the foundation also supports the Centre for the Living Arts, which was founded by Palmer and his lovely wife, Ann.

Palmer Bedsole was awarded the 2004 Outstanding Citizen Award of Mobile because of his creation and involvement with the Centre for the Living Arts. This center operates Space 301, an art gallery in the former Mobile Press-Register building, as well as the historic Saenger Theater. Palmer was a driving force behind the renovations of this Mobile landmark.

Mr. Speaker, I ask my colleagues to join me in remembering a dedicated community leader, a successful businessman, a respected farmer and true friend to many throughout Alabama and around the country.

At 6 feet 6 inches, Palmer Bedsole was not only a tall man, but he was big in heart and generous in spirit. Naturally, he will be missed by his family—his wife of 48 years, Ann Smith Bedsole; his children, Raine Bedsole, George Demmas, Mary Martin Riser and John Henry Martin; and his grandchildren—as well as the countless friends he leaves behind.

Our thoughts and prayers are with them all at this difficult time.

## HONORING HARRISON WADSWORTH ON THE COMPLETION OF HIS INTERNSHIP

### HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GORDON. Mr. Speaker, I rise today to thank Harrison Wadsworth for his service this summer during his internship in our Nation's Capital. Harrison has been a tremendous help to my constituents in Tennessee's Sixth Congressional District.

As he finishes his internship, Harrison is preparing for his junior year at Johns Hopkins University, where he is majoring in political science. He is a member of Sigma Chi, and his dedication to his studies has earned him a spot on the Dean's List.

I know firsthand that Harrison comes from good stock. His father worked in my Washington, DC office for many years, and his sister has also interned here. Given the fine character of his family, I expected good things from Harrison and I was not disappointed.

Harrison's remarkable attitude and eagerness have been great assets during his time here. He has been very helpful in answering constituent concerns, guiding visitors from Middle Tennessee through the U.S. Capitol and assisting me and my staff with countless projects. His creative approach to problem solving has served him well.

I hope Harrison has enjoyed this learning experience as much as we have enjoyed having him in the office. I wish him all the best in his future endeavors.

## PAYING TRIBUTE TO MARK JAGET

### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. PORTER. Mr. Speaker, I rise today to honor Mark Jaget, who recently competed in the Gobi March, a 7-day, 150-mile footrace across China's Gobi Desert.

Mark is a 39-year-old chiropractor, who, with his brother David, owns three Spinal Rehabilitation Centers in Las Vegas, Nevada.

On June 3, 2006, after completing the six-stage, 7-day footrace across one of the harshest landscapes and climates on Earth, Mark crossed the finish line in a small, remote village in the Xinjiang Province of China. Mark finished the race an impressive 9th overall, with a time of 32 hours and 56 minutes.

This was Mark's first race, and he trained for 9 months in order to prepare for his amazing performance in this self-sustaining test, where the competitors have to carry their own food and supplies. Although participants were provided with a tent, water, and dehydrated meals, this served as little consolation in the extreme heat and rugged terrain.

Mark's motivation to finish the race came by focusing on thoughts of his wife, Clare, and their children, Sebastian, who is 7, and Tristan, who is 5, with whom he had imaginary conversations during the contest to keep his spirits high.

Mr. Speaker, I am honored to recognize Mark Jaget on the floor of the House. I commend him for his overwhelming determination and appreciate his representation of our country and the State of Nevada in the Gobi March.

## COMMENDING LIEUTENANT COLONEL SAMUEL I. PARKER, RECIPIENT OF THE MEDAL OF HONOR, ON HIS DISTINGUISHED SERVICE TO OUR NATION THROUGH HIS VALIANT HEROISM DURING THE FIRST WORLD WAR

### HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. HAYES. Mr. Speaker, I rise today to honor the outstanding service of Lieutenant Colonel Samuel I. Parker of North Carolina's 8th district. Lieutenant Colonel Parker was one of only two soldiers from North Carolina to receive the Medal of Honor for his "valiant heroism" during the First World War.

Born on October 17, 1891 in Monroe, North Carolina, Samuel Parker entered the United States Army at a young age. When the United States entered World War I, Samuel Parker, like so many of his generation, chose to put his own interests aside and lay his life on the line to serve his country.

As his citation dutifully notes, on July 18, 1918, then-Second Lieutenant Parker found himself near Soissons, France. During the attack on Soissons, two infantry battalions were merged and established a frontline position. In so doing, a gap was left between the right flank of the French 153D Division and the left flank of the 28th Infantry, exposing the left flank to enemy machine-gunfire in a rock quarry on high ground. Second Lieutenant Parker ordered his depleted platoon to follow him in an attack upon the strong point. Meeting a disorganized group of French Colonials, he persuaded them to join his platoon. They followed him through enemy fire to the crest of the hill, and rushing forward, took the quarry, capturing six machineguns and 40 prisoners. The next day when the assault continued, Second Lieutenant Parker was in command of the merged battalions. Although wounded in the foot, he refused to evacuate and continued to lead his command until the objective was reached. Seeing that the assault battalion was subjected to heavy enfilade fire due to a gap between it and the French on its left, he led his battalion through heavy fire and closed the gap, remaining in command until the newly established lines were thoroughly consolidated. In supervising this, Lieutenant Parker had to crawl on his hands and knees on account of his painful wound.

As the British statesman and philosopher Edmund Burke once said, "The only thing necessary for the triumph of evil is for good men to do nothing." That day good men like Lieutenant Parker did something, and evil did not triumph, but rather our freedom was ensured.

Unlike many of his comrades, Second Lieutenant Parker survived to receive his Medal of Honor and the Distinguished Service Cross and went on to achieve the rank of Lieutenant Colonel. He passed away on December 1, 1975 at the age of 84. It is our duty to remember the service and sacrifice of Lieutenant Colonel Samuel L. Parker and that of all our veterans.

Our veterans are the heroes who helped define our American heritage, and are living proof that freedom is never free. The memory of those we lost and the sacrifice of those who lived to tell the tale must be held in high esteem by Congress and a nation that extends our veterans its utmost respect and gratitude. As we approach the fourth of July, the anniversary of our independence, we must never forget the service of our veterans and pay tribute to those who have gone before us. Now more than ever, we must come together as a nation to unite and rally around those who continue to fight for our freedom.

## PAYING TRIBUTE TO BRIAN CHRISTENSEN

### HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. TANCREDO. Mr. Speaker, today I rise to congratulate Mr. Brian Christensen of Littleton, CO, on his victory in the NCAA Archery Recurve finals.

Mr. Christensen is a one-man team from Colorado State University, he is self-coached and his achievements are noteworthy. He has further ambitions to compete in the 2008 Summer Olympics. He has also been named Colorado Archer of the Year. Previously he has won the World Archery Festival in 2002 and 2003. Archery requires intense concentration and therefore he has used his discipline in the academic realm as well; currently he is using this in his goal of graduating with a degree in Sports Medicine.

Mr. Speaker, it is my distinct pleasure to honor Mr. Christensen and his achievements here today, and wish him all the best in his future endeavors.

## THE CASE OF VALERIU PASAT

### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. SMITH of New Jersey. Mr. Speaker, following the collapse of the Soviet Union when there were virtual open-air arms bazaars taking place across the territory of the former USSR, the United States Government purchased twenty-one fighter aircraft from the newly independent Republic of Moldova. The Moldovan official who negotiated this sale was then Defense Minister, Valeriu Pasat. This purchase was intended to keep these aircraft out of the hands of potentially hostile regimes.

Just last year, Mr. Pasat was charged with malfeasance in connection with this transaction that occurred nearly a decade ago. Allegedly, the planes were worth more than the Moldovan Government received for them in the deal approved by Chisinau. In January of this year, Mr. Pasat was convicted by a secret tribunal and received a 10-year labor camp sentence. His sentence is now awaiting appeal. Mr. Pasat maintains that the charges against him are political and linked to his work with those who oppose Moldova's current communist government. To further complicate matters, he is reportedly in poor health and is rumored to be suffering from hepatitis—a potentially life-threatening condition. Last month, a team of Ukrainian doctors was reportedly denied permission to examine him.

In response to the Pasat verdict, the U.S. Embassy in Chisinau issued a statement expressing disappointment and regret over the non-transparent manner in which his trial was conducted, as well as the judge's refusal to admit sworn statements from former U.S. officials directly involved in the matter. Additionally, Mr. Speaker, the European Union recently passed a resolution calling upon the Moldovan authorities to "ensure that the appeals process [in the Pasat case] will be allowed to proceed in a transparent fashion in accordance with international legal norms." While I make no presumption of Mr. Pasat's innocence or guilt, I share the concerns voiced by our Embassy and by the EU.

As Vice Chairman of the House Committee on International Relations and Co-Chairman of the U.S. Helsinki Commission, I am well aware of the difficulties Moldova has experienced on its path to democracy. I would also like to note the positive progress Moldova has made toward shedding its Soviet legacy and integration into the Euro-Atlantic community. This is why I am so troubled by the retrograde manner in which the Pasat trial has been conducted. It is critical that the Moldovan judicial system afford its citizens the basic legal protections common throughout the civilized world, such as due process, procedural transparency, and hearing the testimony of relevant witnesses. Moreover, Mr. Speaker, it is especial and urgent that the Moldovan authorities take all the necessary steps to protect the life and health of Mr. Pasat or any other prisoner of the state.

## "POWER GRAB," BY ELIZABETH DREW

### HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. CONYERS. Mr. Speaker, as Benjamin Franklin left the Constitutional Convention, which had been closed to the public, a citizen asked: "What kind of Government have you given us, Mr. Franklin?" Franklin replied, "A Republic, Madam, if you can keep it."

In last week's New York Review of Books, Elizabeth Drew, one of our most distinguished political analysts, discusses President Bush's "Power Grab." She forcefully reminds us that, to paraphrase Franklin, the Constitution gives Congress power co-equal with the President, but only if Congress can keep it.

Drew illustrates in painful but accurate detail how Congress repreatedly has stood by and allowed Bush to erode our constitutional powers, one bit at a time.

Drew's particular focus is on President Bush's drastically expanded use of so-called "signing statements," in which he asserts a statute's version he plans to follow, his own version. President Bush tries to claim the power to "make all laws," as well as his constitutionally assigned role to ensure the "laws be faithfully executed." He did not originate the practice, but his use of it is unprecedented in frequency, scope, and defiance of clear legislative intent. This is not a partisan issue. When President Bush reluctantly signed the recent statute banning torture, but then insisted that he would authorize non-existent exceptions, members of both parties disputed the practice.

As Drew explains, Bush's claim of "inherent authority" to ignore the law knows no bounds, no time frame or limiting principle. The genius of our system of government is its separation of powers and its structure of checks and balances. That structure is at risk today.

I urge my colleagues to ponder Elizabeth Drew's timely warning.

[From the New York Review of Books, June 22, 2006]

POWER GRAB

(By Elizabeth Drew)

During the presidency of George W. Bush, the White House has made an unprecedented reach for power. It has systematically attempted to defy, control, or threaten the institutions that could challenge it: Congress, the courts, and the press. It has attempted to upset the balance of power among the three branches of government provided for in the Constitution; but its most aggressive and consistent assaults have been against the legislative branch: Bush has time and again said that he feels free to carry out a law as he sees fit, not as Congress wrote it. Through secrecy and contemptuous treatment of Congress, the Bush White House has made the executive branch less accountable than at any time in modem American history. And because of the complaisance of Congress, it has largely succeeded in its efforts.

This power grab has received little attention because it has been carried out largely in obscurity. The press took little notice until Bush, on January 5 of this year, after signing a bill containing the McCain amendment, which placed prohibitions on torture, quietly filed a separate pronouncement, a "signing statement," that he would interpret the bill as he wished. In fact Bush had been issuing such signing statements since the outset of his administration. The Constitution distinguishes between the power of the Congress and that of the president by stating that Congress shall "make all laws" and the president shall "take care that the laws be faithfully executed." Bush claims the power to execute the laws as he interprets them, ignoring congressional intent.

Grover Norquist, a principal organizer of the conservative movement who is close to the Bush White House and usually supports its policies, says, "If you interpret the Constitution's saying that the president is commander in chief to mean that the president can do anything he wants and can ignore the laws you don't have a constitution: you have a king." He adds, "They're not trying to change the law; they're saying that they're above the law and in the case of the NSA wiretaps they break it." A few members of Congress recognize the implications of what Bush is doing and are willing to speak openly about it. Dianne Feinstein, Democratic senator from California, talks of a "very broad effort" being made "to increase the power of the executive." Chuck Hagel, Republican senator from Nebraska, says: "There's a very clear pattern of aggressively asserting executive power, and the Congress has essentially been complicit in letting him do it. The key is that Bush has a Republican Congress; of course if it was a Clinton presidency we'd be holding hearings."

The public scenes of the President surrounded by smiling legislators whom he praises for their wonderful work as he hands out the pens he has used to sign the bill are often utterly misleading. The elected officials aren't informed at that time of the President's real intentions concerning the law. After they leave, the President's signing statements—which he does not issue verbally at the time of signing—are placed in the Federal Register, a compendium of U.S. laws, which members of Congress rarely read. And they are often so technical, referring as they do to this subsection and that statute, that they are difficult to understand.

For five years, Bush has been issuing a series of signing statements which amount to a systematic attempt to take power from the legislative branch. Though Ronald Reagan started issuing signing statements to set forth his own position on a piece of legislation, he did it essentially to guide possible court rulings, and he only occasionally objected to a particular provision of a bill. Though subsequent presidents also issued such statements, they came nowhere near to making the extraordinary claims that Bush has; nor did they make such statements nearly so often.

According to an article in The Boston Globe, Bush has claimed the right to ignore more than 750 laws enacted since he became president. He has unilaterally overruled Congress on a broad range of matters, refusing, for example, to accept a requirement for more diversity in awarding government science scholarships. He has overruled numerous provisions of congressional appropriations bills that he felt impinged on his executive power. He has also overruled Congress's requirement that he report back to it on how he has implemented a number of laws. Moreover, he has refused to enforce laws protecting whistle-blowers and providing safeguards against political interference in federally funded research. Bush has also used signing statements to place severe limits on the inspectors general created by Congress to oversee federal activities, including two officials who were supposed to inspect and report to Congress on the US occupation of Iraq.

The President could of course veto a bill he doesn't like and publicly argue his objections to it. He would then run the risk that Congress would override his veto. Instead, Bush has chosen a method that is largely hidden and is difficult to challenge. As of this writing, Bush has never vetoed a bill (though he has threatened to do so in the case of a spending bill now pending in Congress). Some of the bills Bush has decided to sign and then ignore or subvert were passed over his objections; others were the result of compromises between Congress and the White House. Arlen Specter, the Republican senator from Pennsylvania and chairman of the Senate Judiciary Committee, told me, ''Under the Constitution if the president doesn't like a bill he vetoes it. You don't cherry-pick the legislation.''

Bush has cited two grounds for flouting the will of Congress, or of unilaterally expanding presidential powers. One is the claim of the ''inherent'' power of the commander in chief.

Second is a heretofore obscure doctrine called the unitary executive, which gives the president power over Congress and the courts. The concept of a unitary executive holds that the executive branch can overrule the courts and Congress on the basis of the president's own interpretations of the Constitution, in effect overturning Marbury v. Madison (1803), which established the principle of judicial review, and the constitutional concept of checks and balances.

The term ''unitary government'' has two different meanings: one simply refers to the president's control of the executive branch, including the supposedly independent regulatory agencies such as the SEC and the FDA. The other, much broader concept, which is used by Bush, gives the executive power superior to that of Congress and the courts. Previous presidents have asserted the right not to carry out parts of a bill, arguing that it impinged on their constitutional authority; but they were specific both in their objections and in the ways they proposed to execute the law. Clinton, for example, objected to provisions in a bill establishing a semi-autonomous National Nuclear Security Administration, which set out the reasons for removing the director. Clinton objected that that impinged on his presidential prerogatives. Bush asserts broad powers without being specific in his objections or saying how he plans to implement the law. His interpretations of the law, as in his ''signing statement'' on the McCain amendment, often construe the bill to mean something different from—and at times almost the opposite of—what everyone knows it means.

The concept of the unitary executive, which has been put forward in conservative circles for several years, has been advocated mainly by the Federalist Society, a group of conservative lawyers who also campaign for the nomination of conservative judges. The idea was seriously considered in the Reagan administration's Justice Department. One of its major supporters was Samuel Alito, then a lawyer in the Justice Department. In his confirmation hearing, Alito said that the memorandum he wrote saying that the president's interpretation of a bill ''should be just as important as that of Congress'' was ''theoretical.'' But no president until Bush explicitly claimed that the concept of a unitary executive was a basis for overruling a bill.

The theory was formulated by John Yoo, a mid-level but highly influential attorney in the Justice Department between 2001 and 2003, who took the view that the president had the power to do pretty much whatever he wanted to do. (He also wrote the infamous memorandum defending what amounted to torture.) As White House counsel, Alberto Gonzales, now attorney general, also publicly supported the theory of the unitary executive.

The theory rests on the Oath of Office, in which, according to the Constitution, the newly elected president promises to ''faithfully execute the office of President,'' and also on the section of Article II that states that the president ''shall take care that the laws be faithfully executed.'' The administration has put forward unprecedented interpretations of both clauses, claiming that they give the president independent authority, unchecked by the other branches of government, to decide what the law means. This theory overlooks the fact that the framers were particularly wary of executive power. A number of constitutional scholars I have spoken with describe the administration's theory of the unitary executive as no more than a convenient fig leaf for enlarging presidential power.

Bush's claims of extraordinary power as commander in chief have been mainly invoked since September 11, 2001. He was able to exploit the anxieties the attacks had stirred, causing people to look to the President to defend them. Senator Jack Reed, Democrat of Rhode Island, recalled that everyone ''looked to the presidency, not to the 535 senators and congressmen, to protect them from a further crippling attack and suspended their mistrust of government. So they [the administration] took great power, which has to be handled wisely, but they didn't.''

It is under the authority of his powers as commander in chief that Bush asserted the right to keep nearly five hundred ''enemy combatants'' in detention in Guantanamo, of whom only ten were charged with a crime. Most were handed over by Afghan bounty hunters who were paid by the U.S. to turn in Arabs. Bush has also asserted the same authority in dealing with numerous bills passed by Congress, most spectacularly in his treatment of the McCain amendment banning ''cruel, inhuman or degraded treatment'' of POWs. In his signing statement, Bush said: ''The executive branch shall construe [the torture provision] in a manner consistent with the constitutional authority of the President to supervise the unitary executive branch and as Commander in Chief and consistent with the constitutional limitations on the judiciary * * *''

This general formula had by then become a standard part of Bush's signing statements, though few noticed. What Bush said about the torture bill was particularly egregious since Vice President Cheney, Bush's liaison with Congress, had tried to negotiate with the Senate a provision watering down McCain's amendment, and failed. The Senate passed it by a vote of 90 to 9, and the House endorsed it by a vote of 308 to 122. It had been an open, well-publicized fight and the President lost.

In late February, shortly after Bush's signing statement on the McCain amendment, the Constitution Project, a bipartisan, nonprofit organization in Washington, issued a protest signed by former government officials of both parties, prominent conservatives, and scholars, saying that they ''are deeply concerned about the risk of permanent and unchecked presidential power, and the accompanying failure of Congress to exercise its responsibility as a separate and independent branch of government.'' They objected to Bush's assertions that he ''may not be bound'' by statutes enacted by Congress, such as the McCain amendment, and that he can ignore ''long-standing treaty commitments and statutes that prohibit the torture of prisoners.'' It concluded that ''we agree that we face a constitutional crisis.''

Another egregious use of the signing statements occurred when Bush said in March that, in interpreting the bill reauthorizing the Patriot Act, he would ignore the requirement that the president report to Congress on the steps taken to implement the law, thus denying that the executive should be accountable to Congress. Patrick Leahy, the ranking Democrat on the Senate Judiciary Committee, issued an angry protest calling Bush's use of signing statements ''nothing short of a radical effort to re-shape the constitutional separation of powers and evade accountability and responsibility for following the law.'' Leahy added, ''The President's signing statements are not the law, and we [the Congress] should not allow them to become the last word.''

Bush went still further in his extraordinary claim of supreme power on December 17, 2005, when he acknowledged that, as revealed in The New York Times the day before, the government was conducting warrantless wiretapping of domestic calls. He claimed that he had the power to order such taps ''to save lives,'' regardless of what the existing law said.

His claim rested on two contradictory arguments. First, he said that warrantless wiretaps were authorized in the resolution enacted three days after September 11, which said that the president could ''use all necessary and appropriate force'' to combat al-Qaeda. But the administration also argued that it didn't need authorization because of the inherent powers of the commander in chief. Former Senate Majority Leader Tom Daschle wrote that the administration had asked for a much broader resolution on the use of force than the one Congress approved. At the last minute the White House sought to have the resolution also include actions ''in the United States'' but was turned down.

One problem with the President's claims of extraordinary powers as commander in chief is that the ''war on terror'' is by definition an open-ended one, with no time limit on the president's powers, as Bush interprets them, to do virtually whatever he wants in order to conduct that war. There are undefined limits on how far the legislature can go in instructing the president on how to conduct a war; clearly it cannot tell him how to deploy combat troops. But during the Vietnam War, Congress used the power of the purse, voting to cut off funds. The Nixon administration didn't argue that Congress had no power to do so.

There is no way of knowing how many other laws already on the books are being reinterpreted by Bush, as he's done in the case of the NSA wiretapping program. The Foreign Intelligence Surveillance Act, or FISA, passed in 1978 after the Supreme Court had unanimously rejected as illegal Richard Nixon's domestic wiretapping, set forth what it said were the ''exclusive means'' by which an administration could conduct surveillance on Americans. The FISA law set up a special, secret court that could grant the government permission to wiretap American citizens after a showing of probable cause. One of the administration's justifications for initiating a wiretapping program outside the FISA law is that taps on potential terrorists must be initiated speedily; but the FISA law gives the executive three days to conduct a warrantless tap in an emergency and fifteen days if there's been a declaration of war. Gonzales complains that the law is too burdensome, since the attorney general still has to sign off on emergency taps and that they have to meet FISA standards. (A Republican senator, upon being told these complaints, said, ''So what's the problem?'') But the FISA law has been amended twice since it was enacted and the administration has never specifically and clearly asked Congress to revise the law to take account of changed circumstances.

The administration's wiretapping program appears to violate the Fourth Amendment's

guarantee that ''the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause. . . .'' The original impetus for the Bush program reportedly came from General Michael V. Hayden, then head of the National Security Agency, which collects information in the name of national security, and Bush's nominee to head the CIA. Hayden told a receptive White House that the NSA counsel had said the program was legal. The government claims that if a member of al-Qaeda, or of a group ''supportive of'' al-Qaeda, calls or e-mails someone in the United States, or if someone in the U.S. initiates the conversation, the government, which could already tap the suspected terrorist, can now tap the U.S. resident as well. This raised the question whether that U.S. citizen's other calls would be tapped.

In a press briefing given at the White House by Gonzales and Hayden on January 19 this year, Gonzales emphasized that ''one party to the communication has to be outside the United States'' and insisted there has to be ''a reasonable basis'' for concluding that one party to the communication is affiliated with or ''supportive of'' al-Qaeda, an extremely vague standard. And the administration is now making that decision, not the FISA court. Gonzales, moreover, has told congressional committees that he couldn't rule out that the President has the authority to wiretap purely domestic calls. Asked why the administration didn't go to Congress for authorization to wiretap domestic calls in terrorism cases without seeking a warrant, Gonzales replied: ''We have had discussions with Congress in the past—certain members of Congress—as to whether or not FISA could be amended to allow us to adequately deal with this kind of threat, and we were advised that that would be difficult, if not impossible.'' In other words, having been told that Congress was unlikely to authorize the warrantless wiretaps of domestic calls, the administration went ahead and did the tapping.

The Bush administration's reaction to the revelations about the wiretapping program has been to attack the leaks. In his statement acknowledging the wiretapping program, Bush said, ''The fact that we're discussing this program is helping the enemy.'' In an attempt to limit congressional oversight, the administration tried to restrict the number of members of Congress it would brief on such matters.According to a presidential directive issued quietly after September 11, officials were to discuss highly classified information with only the Republican chairman and the ranking Democrat on the Senate and House Intelligence Committees—committees that were established to conduct oversight on intelligence activities following the CIA scandals in the mid-Seventies—as well as the Republican and Democratic leaders of each chamber (a total of eight people) and not with the full intelligence committees.

Under the new rules, the members of this small group of people weren't permitted to discuss the program with other members of the intelligence committees, or with their own staffs. It was for the administration to decide which intelligence matters were too sensitive to discuss with the entire intelligence committees. One problem with this White House-imposed arrangement was that just as members of other congressional committees become cozy with the government agencies they are supposed to oversee, the intelligence committee heads—with the notable exception of Democratic Senator Jay Rockefeller, of West Virginia—are known to be close to the intelligence agencies. In July 2003, Rockefeller sent Cheney a handwritten letter saying that the restrictions on briefings ''raise profound oversight issues.''

Rockefeller also wrote that the wiretapping program recalled the highly intrusive Pentagon Total Information Awareness program headed by John Poindexter, which Congress voted to abolish. The resemblance, he wrote, ''exacerbat[ed] my concern regarding the direction the administration is moving with regard to security, technology, and surveillance.'' (Rockefeller released the statement following the Times's disclosure.) Earlier this year, Chuck Hagel and Olympia Snowe, Republican of Maine, threatened to vote with the Democrats for an investigation of the wiretapping program unless the full committee was briefed on it. In early March, on the eve of a scheduled vote on the matter, Cheney was called to a meeting with some committee Republicans in S207, the committee's highly secured room in the Capitol. The Republicans, including Snowe, sharply criticized Cheney for the administration's attempts to prevent other committee members from being briefed about the program.

Cheney had to report to the White House that its plan to shut out all but the top committee members was no longer feasible. But, working with Pat Roberts, chairman of the Senate Intelligence Committee, and Senate Majority Leader Bill Frist, the administration was able to limit the additional committee members to be briefed to four Republicans and three Democrats, still leaving most of the intelligence committee members, not to mention other elected officials, in the dark. On the eve of Hayden's confirmation hearings, Roberts, facing a public revolt by committee members of both parties, agreed that all of the committee members should be briefed on the surveillance programs. This was also a way of preventing committee members who hadn't been briefed from asking awkward questions in public. (This led to the tepid questioning of Hayden in his public confirmation hearings.) Despite the briefing, in the public hearing Snowe said, ''the Congress was really never really consulted or informed in the manner that we could truly perform our oversight role as coequal branches of government, not to mention—I happen to believe—required by law.''

In March, after the Senate Intelligence Committee declined to hold hearings on the matter, Arlen Specter, Republican of Pennsylvania, convened four days of hearings before the Judiciary Committee. But Specter concluded that Gonzales's testimony was too vague to be informative. In late April he threatened to cut off NSA funds for the wiretapping program if the administration didn't reveal more about it. Asked by a reporter why he didn't call Gonzales back to appear before his committee, Specter replied, ''Because he won't tell us anything.'' The administration, apparently on the orders of the White House, shut down a Justice Department investigation into the wiretapping program.

Bush's nomination of Hayden to be the next CIA director set off an undoubtedly greater clamor than the White House expected over his role in the wiretapping program and his strenuous public defense of it, but the White House claimed it welcomed the fight. And then another clamor was set off by the revelation by USA Today that the NSA was collecting the phone records of tens of millions of Americans from major telephone companies. In a statement to the press, Bush said the NSA wasn't listening to the calls but was only tracing the pattern of contacts they revealed. But it would be easy for the NSA or another agency to correlate the numbers with the names of the callers. In any event, the program is quite possibly illegal. (Specter is to hold hearings.) These disclosures led some lawmakers to wonder what else they hadn't been told that the administration was doing in the name of national security.

A big congressional fight over the wiretapping program would fit neatly into Karl Rove's strategy, declared earlier this year to a meeting of the Republican National Committee, of cynically making the issue of national security central to the 2006 election, as he did in 2002. ''Republicans,'' he said, ''have a post–9/11 worldview and many Democrats have a pre–9/11 worldview.'' With its penchant for propagandistic titles (the ''Patriot Act''), the administration calls the warrantless wiretapping program the ''terrorist surveillance'' program, and it imputes to its opponents the view that terrorists should not be wiretapped. But of course that is not the issue: most of the critics on Capitol Hill are simply arguing that wiretapping programs should be subject to the law. Hagel says, ''You cannot have one branch of government make the decision on whose rights would be violated. That's the very basis of having three co-equal branches of government.''

As for the judicial branch, the Bush administration, like previous administrations, has tried to appoint judges compatible with the President's views. But Bush has been strikingly successful at putting extreme conservatives on the bench, and probably now has four votes on the Supreme Court for his ''unitary executive'' rationale for executive authority over what the other branches do. His administration has several times told the Supreme Court that it should not hear the cases of detainees. Also by his appointments and by exerting pressure Bush has bent the supposedly independent regulatory agencies (the EPA, SEC, FDA, etc.) closer to his political views—in his case, pro-deregulation—than any president before him. The explicit rationale for these agencies is that they were to be independent of both the executive and Congress. There have already been two federal court rulings charging the EPA with defying federal environmental law.

As for the press, Justice Department officials have threatened to prosecute not only officials who leak classified information, but also anyone else who simply receives classified information, whether they disclose it or not. Gonzales has suggested that journalists might be prosecuted for disclosing classified information (for example, The New York Times reporters for revealing the warrantless wiretapping program). On May 16, ABC News reported on its Web site that the FBI had stepped up government efforts to seek reporters' phone records in investigations of leaks. Many reporters and editors find it ominous that the administration prosecuted two lobbyists for AIPAC, the American Israel Public Affairs Committee, for receiving such information (as well as passing it on to Israel), and that, in early March, the FBI demanded the papers of the late investigative reporter Jack Anderson.

Cheney and his chief of staff, David Addington, formerly his counsel, are understood by most informed observers to be mainly responsible for the expansive interpretations of the president's powers, as well as the unprecedented secrecy with which the administration conducts public affairs. According to The New York Times, after September 11 Cheney and Addington pushed for the wiretapping of domestic calls. A Republican lobbyist I talked to told me that the administration's attitude on various issues is simple: ''It's we just want it our way and we don't want to be bothered by talking to other people about it.''

Some Republican observers suggest that Cheney is living in a time warp, reacting to what he saw as congressional encroachment

(including FISA) on the president's powers during the time that he served in the Ford White House and as a minority member of a Democratic Congress. Despite rumors of a decline in his standing with Bush, Cheney remains the most powerful vice-president in American history, with an octopus-like reach into many parts of the government. He has placed his own people in each of the national security agencies—the Departments of Defense and State as well as the CIA and the National Security Council. (Until she recently took a maternity leave, his daughter Elizabeth was principal deputy assistant secretary of state for the Near East, a position that does not require Senate confirmation and from which people on Capitol Hill saw her as effectively in charge of the State Department's Middle East bureau.) Cheney installed Porter Goss in the CIA, with orders to root out people who leaked information inconvenient to the administration. It's difficult, however, to know much about what Cheney is doing because his office operates in such secrecy that a reporter friend of mine refers to it as a ''black hole.''

In Bush, Cheney has had a very receptive listener. Bush's own overweening attitude toward the presidency is clear from his behavior. He bristles at being challenged. He told Bob Woodward, ''I do not need to explain why I say things. That's the interesting thing about being the president. Maybe somebody needs to explain to me why they say something, but I don't feel I owe anybody an explanation.'' His comment, ''I'm the decider,'' about not firing Rumsfeld, is in fact a phrase he has used often.

Why have the members of Congress been so timorous in the face of the steady encroachment on their constitutional power by the executive branch? Conversations with many people in or close to Congress produced several reasons. Most members of Congress don't think in broad constitutional terms; their chief preoccupations are raising money and getting reelected. Their conversations with their constituents are about the more practical issues on voters' minds: the prices of gasoline, prescription drugs, and college tuition. Or about voters' increasing discontent with the Iraq war.

Republicans know that the President's deepening unpopularity might hurt them in the autumn elections; but, they point out, he's still a good fund-raiser and they need his help. Moreover, the Republicans are more hierarchical than the Democrats, more reverential toward their own party's president; it's unimaginable that Republicans would be as openly critical of Bush as the Democrats were of Jimmy Carter and Bill Clinton. Republicans are more disciplined about delivering their party's ''talking points'' to the public. Republican fund-raising is done more from the top than is the case with Democrats, and there's always the implicit threat that if a Republican isn't loyal to the president, the flow of money to their campaigns might be cut off. A Republican opponent can challenge an incumbent in a primary, in which not many people vote. Here Arlen Specter has shown unusual courage. He barely survived a conservative challenge in the primary election in 2004 (though Bush supported him), and then had to beat back a conservative attempt to remove him as chairman of the Senate Judiciary Committee because of his views in favor of abortion rights. He survived by promising not to let his pro-choice views hold up the judicial nominations before the committee. Specter told me, ''What I worry about most is the restrictions of Congress's constitutional authority, which the Congress doesn't resist.''

Bush's declining popularity can occasionally impel Republicans to try to seem independent of him—as, say, on the issue of Dubai being awarded a contract to administer U.S. ports; after all the administration's talk about security, this arrangement sounded outrageous in the American heartland, and members of Congress rushed to kill it. But the Republican legislators have also become convinced, in the words of one Republican senator, ''We've got to hang with the president because if you start splitting with him or say the president has been abusing power we'll all go down.'' Karl Rove has recently been arguing along these lines to congressional Republicans. In the end, a Republican lobbyist told me, Republican politicians feel that Bush is ''still their guy.'' The fierce partisanship on Capitol Hill also blocks serious discussion of the issue of unlimited executive power: many Republicans have concluded that the Democrats are exploiting such issues for partisan purposes and have dug in against them. On May 11, at a regular weekly luncheon of about twenty conservative senators, Senator Roberts denounced criticism of Bush's surveillance and data-collecting programs as ''dangerous'' and ''insulting'' to the President and charged the Democrats with treating national security as a political issue. Members of Congress who are protective of their institution and capable of looking beyond their parochial concerns—and who might have objected to Bush's encroachments on the legislative branch—are largely gone.

From the time of the vote on the Iraq war, many Democrats have been reluctant to be caught on the ''wrong side'' of ''national security'' issues, even those blatantly cooked up by the White House. It usually requires a strong public reaction, as there was on the subject of torture, for Congress to make a move against the President's actions. A Republican senator told me, ''There's a feeling on the Hill that the public doesn't care about it, that it's willing to give up liberties in order to defeat the terrorists.'' Some of the proposals offered on Capitol Hill for regulating the NSA wiretaps amount to little regulation at all.

At the center of the current conflict over the Constitution is a president who surrounds himself with proven loyalists, who is not interested in complexities, and who is averse to debate and intolerant of dissenters within his administration and elsewhere. (A prominent Washington Republican who had raised a lot of money for Bush was dropped from the Christmas party list after he said something mildly critical of the President.) A Republican lobbyist close to the White House described to me what he called the Cult of Bush: ''This group is all about loyalty and the definition of loyalty extends to policy-making, politics, and to the execution of policy—and to the regulatory agencies.'' The result, this man said, is that the people in the agencies, including the regulatory agencies, ''become robotrons and just do what they're told. There's no dialogue.''

The President's recent political weakness hasn't caused the White House to back away from its claims of extraordinary presidential power. The Republican lobbyist Vin Weber says, ''I think they're keenly aware of the fact that they're politically weakened, but that's not the same thing as the institution of the presidency being damaged.'' People with very disparate political views, such as Grover Norquist and Dianne Feinstein, worry about the long-term implications of Bush's power grab. Norquist said, ''These are all the powers that you don't want Hillary Clinton to have.'' Feinstein says, ''I think it's very dangerous because other presidents will come along and this sets a precedent for them.'' Therefore, she says, ''it's very important that Congress grapple with and make decisions about what our policies should be on torture, rendition, detainees, and wiretapping lest Bush's claimed right to set the policies, or his policies themselves, become a precedent for future presidents.''

James Madison wrote in Federalist Paper No. 47: ''The accumulation of all powers legislative, executive and judiciary in the same hands, whether of one, a few or many . . . may justly be pronounced the very definition of tyranny.''

That extraordinary powers have, under Bush, been accumulated in the ''same hands'' is now undeniable. For the first time in more than thirty years, and to a greater extent than even then, our constitutional form of government is in jeopardy.

## TRIBUTE TO LIZ COVENTRY

### HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GARRETT of New Jersey. Mr. Speaker, it is with a great sense of pride and with an overwhelming sense of sadness that I rise today to pay tribute to the lifelong career of public service of Liz Coventry.

Liz has been a loyal supporter, advisor, friend, and confidante for nearly a decade. Throughout my years in the New Jersey State Legislature and my tenure in Congress, Liz has been an integral part of the team that I depend upon and my constituents look to for assistance and guidance. There is no job too big for Liz's breadth of expertise and knowledge—she can accomplish any task before her. And, there is no job too small for Liz—she is a true team player, pitching in whenever she can and wherever she is needed.

In her capacity on my Congressional staff, Liz has been a great help to countless constituents. She truly takes each individual case to heart. No one who sits with Liz at her desk ever feels like a case number; she gives each person a real personal touch.

Liz has also been organizing a number of special projects for Fifth District residents, such as the art competition and a veterans history project. Her dedication to the art competition is worthy of the art patronage of the Medici Family during the Renaissance. She makes everyone of these young artists feel like Michelangelo or DaVinci. And, her commitment to the veterans history project is unparalleled. She is a one-woman USO, making every veteran she speaks with feel like the marines at Iwo Jima.

Liz has recently decided to take a well-deserved retirement after years in selfless public service. I know that my whole staff, my constituents, and I will miss her dearly, but we wish her the very best as she takes this grand step.

## PAYING TRIBUTE TO RUEDY EDGINGTON

### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. PORTER. Mr. Speaker, I rise today to honor Mr. Ruedy Edgington as he leaves the Nevada Department of Transportation (NDOT).

Ruedy has been at the NDOT for 26 years. He has accepted a position as Parson Transportation Group's Area Manager. In his new

role as Area Manager, Ruedy will manage over 50 Parson's employees in Northern and Southern Nevada and will oversee the road and highway projects in Nevada, Utah, and Idaho.

Upon graduation from the University of Nevada, Reno in 1981, Ruedy began work for NDOT's Bridge Section where he worked for nine years. He then moved on to a position as the Assistant Materials Engineer to gain more experience in the field. In 1998, Ruedy was promoted to the position of chief construction engineer. He was again promoted in 1999 to become the assistant director for operations, and in 2004, Ruedy became the Assistant Director for Engineering. After serving NDOT for over 25 years, Ruedy is apprehensive about his career change, but he is looking forward to the new challenges and opportunities that await him at the Parson Transportation Group.

Over the years Ruedy has led a number of special projects including: streamlining NDOT's in-house National Environmental Policy Act process, scheduling and tracking system for NDOT's in-house projects, developing Disputer Resolution Boards, and developing the initial bridge seismic retrofit program for NDOT.

Ruedy and his family have raised funds for the Juvenile Diabetes Research Foundation, and have visited my office during their efforts. Ruedy loves to run and bike, but his favorite activity is spending time with his wife, Allyson, and their sons, Eric, who is 13, and Matthew, who is 10.

Mr. Speaker, I am honored to recognize Ruedy Edgington on the floor of the House. I commend him for his tremendous efforts for the state of Nevada, as well as his efforts to fight against Juvenile Diabetes.

## PLAYING POLITICS WITH IRAQ

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. RANGEL. Mr. Speaker, I rise today to submit to the record an opinion editorial from the June 26, New York Times entitled ''Playing Politics with Iraq'' by Bob Herbert in which the columnist alleges by giving the public what it wants, an orderly withdrawal from Iraq, the Bush administration is seeking political advantage from the conflict in Iraq, making the war part of a campaign strategy.

The post-war occupation of Iraq has not gone smoothly. This has had considerable influence on the approval rating of President Bush and the popularity of his policies. As such, the Bush Administration and Republican Congressional leadership seeks to turn the debate over the Iraq War in their favor. Their plan is to possibly reduce the number of troops in Iraq before this fall's Congressional elections, with possibly even bigger cuts before the 2008 elections. Yet even while the Bush Administration appears to be executing a withdrawal of a significant number of U.S. troops in the coming month its Republican allies in the Congress are relentlessly claiming that anyone who proposes a withdrawal of troops to be proponents of a ''cut and run'' appeasement. Is the President and his administration to be accused of ''cut and run''?

The Bush White House and Republican Congressional leadership are playing politics with Iraq. More than 2,500 American troops who answered the call to wage war in Iraq have already perished and thousands more are struggling with coming to terms with the emotional trauma and anguish as a result of their sacrifice. They deserve better, and we owe it to them to do better. We need to move beyond partisan politics because they only serve to deviate us from our main goal—the establishment of a safe and democratic Iraq state.

As a War veteran, I know from experience how sound policy can lessen the damaging effect a war like Iraq can have on the individual. I do not think the Iraq War should be part of any party's campaign strategy. Mr. Speaker I call upon the Republican Congressional Leadership to end this divisive practice of using the Iraq war for political gain or advantage.

[From the New York Times, June 26, 2006]

PLAYING POLITICS WITH IRAQ

(By Bob Herbert)

If hell didn't exist, we'd have to invent it. We'd need a place to send the public officials who are playing politics with the lives of the men and women sent off to fight George W. Bush's calamitous war in Iraq.

The administration and its allies have been mercilessly bashing Democrats who argued that the U.S. should begin developing a timetable for the withdrawal of American forces. Republicans stood up on the Senate floor last week, one after another, to chant like cultists from the Karl Rove playbook: We're tough. You're not. Cut-and-run. Nyah-nyah-nyah!

''Withdrawal is not an option,'' declared the Senate majority leader, Bill Frist, who sounded like an actor trying on personas that ranged from Barry Goldwater to General Patton. ''Surrender,'' said the bellicose Mr. Frist, ''is not a solution.''

Any talk about bringing home the troops, in the Senate majority leader's view, was ''dangerous, reckless and shameless.''

But then on Sunday we learned that the president's own point man in Iraq, Gen. George Casey, had fashioned the very thing that ol' blood-and-guts Frist and his C-Span brigade had ranted against: a withdrawal plan.

Are Karl Rove and his liege lord, the bait-and-switch king, trying to have it both ways? You bet. And that ought to be a crime, because there are real lives at stake.

The first significant cut under General Casey's plan, according to an article by Michael Gordon in yesterday's Times, would occur in September. That, of course, would be perfect timing for Republicans campaigning for reelection in November. How's that for a coincidence?

As Mr. Gordon wrote: ''If executed, the plan could have considerable political significance. The first reductions would take place before this fall's Congressional elections, while even bigger cuts might come before the 2008 presidential election.''

The general's proposal does not call for a complete withdrawal of American troops, and it makes clear that any withdrawals are contingent on progress in the war (which is going horribly at the moment) and improvements in the quality of the fledgling Iraqi government and its security forces.

The one thing you can be sure of is that the administration will milk as much political advantage as it can from this vague and open-ended proposal. If the election is looking ugly for the G.O.P., a certain number of troops will find themselves waking up stateside instead of in the desert in September and October.

I wonder whether Americans will ever become fed up with the loathsome politicking, the fear-mongering, the dissembling and the gruesome incompetence of this crowd. From the Bush-Rove perspective, General Casey's plan is not a serious strategic proposal. It's a straw in the political wind.

How many casualties will be enough? More than 2,500 American troops who dutifully answered President Bush's call to wage war in Iraq have already perished, and thousands more are struggling in agony with bodies that have been torn or blown apart and psyches that have been permanently wounded.

Has the war been worth their sacrifice?

How many still have to die before we reach a consensus that we've overpaid for Mr. Bush's mad adventure? Will 5,000 American deaths be enough? Ten thousand?

The killing continued unabated last week. Iraq is a sinkhole of destruction, and if Americans could see it close up, the way we saw New Orleans in the immediate aftermath of Katrina, they would be stupefied.

Americans need to understand that Mr. Bush's invasion of Iraq was a strategic blunder of the highest magnitude. It has resulted in mind-boggling levels of bloodshed, chaos and misery in Iraq, and it certainly hasn't made the U.S. any safer.

We've had enough clownish debates on the Senate floor and elsewhere. We've had enough muscle-flexing in the White House and on Capitol Hill by guys who ran and hid when they were young and their country was at war. And it's time to stop using generals and their forces under fire in the field for cheap partisan political purposes.

The question that needs to be answered, honestly and urgently (and without regard to partisan politics), is how best to extricate overstretched American troops—some of them serving their third or fourth tours—from the flaming quicksand of an unwinnable war.

## PAYING TRIBUTE TO JOSHUA MARC DAVIDSON

### HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. TANCREDO. Mr. Speaker, I would like to congratulate a young man from Greenwood Village, Colorado, Mr. Joshua Marc Jacobson, for earning a Congressional Award Gold Medal.

The Congressional Award program challenges talented young men and women to be active in their communities, develop leadership skills, and challenge themselves physically and to go on expeditions domestically or internationally.

Josh completed over 400 hours of community service with the most rewarding project being a food drive that he organized as the chapter president of Future Business Leaders of America. His personal development goals were achieved through part-time work with local businesses. Here he was able to develop skills in leadership that he will be taking with him as an intern for a Congressional Campaign this summer. Josh completed his physical fitness requirements by playing varsity tennis in high school, after years of hard work to achieve his goal.

Josh's commitment to his community and' his desire to become a future leader is significant as he continues to grow this summer and in the years ahead.

## HONORING THE ALABAMA NATIONAL GUARD 1165TH MILITARY POLICE COMPANY

### HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. BONNER. Mr. Speaker, today I rise to pay tribute to the men and women of the Alabama Army National Guard 1165th Military Police Company.

The 1165th Military Police Company, based in Fairhope, AL, is the first unit of the Alabama National Guard to be awarded the Presidential Unit Citation. This is the highest award given to any army unit and is the capstone of this highly decorated unit.

The award was given to the 1165th for their service during Operation Iraqi Freedom. For 13 months, the men and women of the 1165th conducted high profile patrols on the streets of Baghdad and trained Iraqi policemen. During their tour, the 1165th suffered many wounded soldiers and lost one fellow soldier, Specialist Christopher Taylor.

Even in times of difficulty, the morale of the 1165th remained high. On Easter Sunday 2004, after packing for the trip home, the 1165th received notice that their time in Iraq had been extended. Their dedication and commitment to the cause of freedom carried them through this time and is just one example—out of many—that speaks to why the 1165th is worthy of the Presidential Unit Citation.

The Presidential Unit Citation is given to a unit of the army forces of the United States for extraordinary heroism in action against an armed enemy. The unit must display such gallantry, determination and esprit de corps in accomplishing its mission under extremely difficult and hazardous conditions so as to set it apart from—and, in fact, above—other units participating in the same campaign.

It is an honor for me to rise today and recognize all of the brave men and women of America's armed forces and, in particular, the brave men and women of the 1165th Military Police Company.

May their dedication to the cause of freedom be an example to their families, friends, neighbors and citizens throughout Alabama and across the United States of America.

## FREEDOM FOR RAFAEL CORRALES ALONSO

### HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Rafael Corrales Alonso, political prisoner in totalitarian Cuba.

Mr. Corrales Alonso is a pro-democracy activist and a member of the 30 November Democratic Party, an island wide movement dedicated to the establishment of a democratic society, in opposition to the Castro tyranny. Unfortunately, those who believe that freedom, and human rights are the birthright of all men and women, are targeted by the tyrant's machinery of repression.

According to Amnesty International, on February 28, 2002, Mr. Corrales Alonso was arrested by the dictatorship. More than 2 years later he was tried on the supposed ''crime'' of ''contempt'' and, in a sham trial, Mr. Corrales Alonso was sentenced to 5 years in the totalitarian gulag.

Let me be very clear, Mr. Corrales Alonso is currently languishing in the depraved conditions of the totalitarian gulag for his belief in freedom. The U.S. State Department describes the conditions in the gulag as, ''harsh and life threatening.'' The State Department also reports that police and prison officials beat, neglect, isolate, and deny medical treatment to detainees and prisoners. It is a crime of the highest order that people are imprisoned in these nightmarish conditions simply for their belief in democracy and freedom.

Mr. Corrales Alonso is one of the many heroes of the peaceful Cuban democratic movement who are locked in the dungeons of the dictatorship for their beliefs. They are symbols of freedom and democracy who will always be remembered when freedom reigns again in Cuba. President Bush addressed those brave men and women who spread the light of freedom in the darkest corners of the world when he said, in his second inaugural address, ''Democratic reformers facing repression, prison, or exile can know: America sees you for who you are: the future leaders of your free country.''

Mr. Corrales Alonso represents the very best of the Cuban people: No matter how intense the beatings, no matter how remorseless the repression, no matter how inhumane the conditions, he will never relent in his belief that the people of Cuba should be and will be free.

Mr. Speaker, it is as inconceivable as it is unacceptable that, in the 21st century and only 90 miles from our shore, brave men and women are locked in grotesque dungeons because they believe that all people have basic human rights. It is a profound embarrassment for mankind that the world stands by in silence and acquiescence while political prisoners are systematically tortured because of their belief in freedom, democracy, human rights and the rule of law. My colleagues, we must demand the immediate and unconditional release of Rafael Corrales Alonso and every political prisoner in totalitarian Cuba.

## TRIBUTE TO COUNCILMAN DR. TURNER M. SPENCER

### HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to pay tribute to a great citizen of the Commonwealth of Virginia and a true public servant. On June 30, 2006, Councilman Turner M. Spencer will step down from the Hampton, Virginia City Council after 20 years of dedicated service. I would like to take a few moments to highlight just some of Councilman Spencer's achievements.

Dr. Spencer holds bachelor's and master's degrees in Biology from Virginia State University, a master's degree in education from Hampton University, and a Doctorate in Higher Education Administration from the College of William and Mary.

In 1958, Dr. Spencer served his country on active duty for 2 years in the United States Army, rising to the rank of captain, and he continued his military career with the United States Army Reserves, retiring as a major. Our grateful Nation is indebted to his service.

Dr. Spencer's career in public service began in the classroom. He joined the faculty of Thomas Nelson Community College in 1968, eventually serving as Chairman of the Thomas Nelson Biology Department until his retirement in 2000. Dr. Spencer played an integral part in the education and training of thousands of students in Hampton and surrounding cities.

In addition to his distinguished personal career, Councilman Spencer has had a long and prosperous political career. In 1986, he was first appointed to the Hampton City Council. He has served continuously on the council for the last 20 years, including a term as Vice-Mayor. He has also served his city as Chairman of the Hampton Redevelopment and Housing Authority, and as Chairman of the Hampton Roads Transportation District Commission.

His expertise in transportation, an area of great importance in our State, was recognized when he was elected President of the Virginia Transit Association in 1995. In that same year, leaders from other Virginia localities selected Councilman Spencer to be a member of the Executive Committee of the Virginia Municipal League and President of the League's Transportation Policy Committee.

Councilman Spencer's service to his State has not caused him to neglect his community. He is a member of the Board of Directors for the Boys & Girls Clubs of Greater Hampton Roads, and he has served on the Board of Trustees of both Messiah Baptist Church and First Baptist Church, Hampton.

As he prepares to step down from the City Council, I have no doubt that Councilman Spencer will remain active in the community.

Whether it's through his membership in Kiwanis International or the Alpha Alpha Chapter of Omega Psi Phi Fraternity, Inc., I expect to see Councilman Spencer continuing to play a role in local and State civic affairs. I once again congratulate Councilman Spencer on his 20 years of service to the citizens of Hampton, the Commonwealth of Virginia and the United States of America.

## COMMENDING OREGON STATE UNIVERSITY ON THEIR COLLEGE WORLD SERIES

### HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. DEFAZIO. Mr. Speaker, I rise today to congratulate Oregon State University's 2006 baseball team on their College World Series Championship June 26, 2006. This title is a fitting ending to a truly remarkable season for the Beavers. The team has made Oregon proud; this is a victory for fans throughout the state.

I'd like to recognize the individual coaches and players not only for their victory, but also for their teamwork and sportsmanship which undoubtedly contributed to this accomplishment for the team and the university. Head Coach Pat Casey, Coaches Marty Lees and Dan Spencer, Assistant Coach David Wong and Strength and Conditioning Coach Andy Dendas.

Players: Erik Ammon, Sophomore; Darwin Barney, Sophomore; Bret Bochsler, Freshman; Reed Brown, Sophomore; Dallas Buck, Junior; Brian Budrow, Freshman; Mitch Canham, Sophomore; Bryn Card, Freshman; Brett Casey, Freshman; Cory Ellis, Freshman; Derek Engelke, Sophomore; Josh Forgue, Freshman; Cole Gillespie, Junior; Ryan Gipson, Senior; Tyler Graham, Junior; Mark Grbavac, Freshman; Kevin Gunderson, Junior; Koa Kahalehoe, Freshman; Greg Keim, Junior; Jon Koller, Senior; Chris Kunda, Senior; Eddie Kunz, Sophomore; Joey Lakowske, Freshman; Greg Laybourn, Freshman; Lonnie Lechelt, Sophomore; Mike Lissman, Junior; Anton Maxwell, Junior; Jake McCormick, Junior; Shea McFeely, Senior; Jonah Nickerson, Junior; Joe Paterson, Sophomore; Casey Priceman, Sophomore; Sean Rockey, Freshman; Bill Rowe, Senior; Scott Santschi, Junior; Alex Sogard, Freshman; Dale Solomon, Freshman; Michael Stutes, Sophomore; Rob Summers, Freshman; Daniel Turpen, Sophomore; Geoff Wagner, Senior; John Wallace, Freshman.

As the underdog team throughout much of the tournament Oregon State truly impressed us with their resilience. Oregon State is the first team in 16 years to win their first College World Series game and national title in the same season. The support of the community and fans contributed much to the spirit that followed this team through their victory. Of notable credit, Jonathan Casey, son of Coach Pat Casey inspired us all with his unbreakable belief in Oregon State Baseball.

Oregon State is the first Northern-based school to win the College World Series in 40 years, I hope that this is a new trend in athletics throughout Oregon and the Pacific Northwest. Congratulations Beavers on a hard-fought and well-earned championship.

## PAYING TRIBUTE TO THOM REILLY

### HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. PORTER. Mr. Speaker, I rise today to honor my good friend Mr. Thom Reilly as he prepares to resign as the Clark County Manager, which is one of the fastest growing counties in the country with more than 1.5 million residents, and is accepting the position as Vice Chancellor of the University of Nevada Health Science Services Center for the Nevada System of Higher Education.

Thom began his service to Nevada in 1987, when he took a policy analyst position in Carson City's Department of Human Resources. While working in Carson City, he had the opportunity to serve as Chief of Social Services, and was subsequently promoted to Deputy Administrator.

In 1991, Thom moved to Las Vegas and joined the Division of Child and Family Services, where he oversaw the Child Welfare System in Nevada. Thom left his state position to work for Clark County in 1997. As Director of Clark County Administrative Services, he served as Chief Administrator, and was responsible for administering and planning Clark County's legislative initiatives, franchise agreements, emergency management, policy and program development, and strategic planning efforts.

In August of 1999, Thom left Clark County to accept a position as Associate Professor at the University of Nevada, Las Vegas, UNLV. He has taught a number of graduate level courses in public administration and social work, and continues to teach on a part-time basis. Thom returned to work for Clark County in 2001, as County Manager and Chief Executive Officer.

Thom holds both a Doctorate and Master of Public Administration degrees from the University of Southern California, USC, a Master of Social Work from Arizona State University, and a B.A. from Memphis State University. He is the author of numerous articles in the areas of health and human services, environmental planning and citizen participation. Thom is also active in numerous community organizations and serves on the editorial boards for the journals Public Administration Review, PAR, and Administration in Social Work.

Recently Thom has been quoted saying, ''It's been a distinct pleasure to serve the citizens of Clark County and the members of the County Commission, and I've had some wonderful years here and have worked with a lot of very talented people who take their roles as public servants very seriously. Now I look forward to continuing to serve the people of this state in my new role.''

Mr. Speaker, I am honored to recognize Mr. Thom Reilly on the floor of the House. From the needs of a foster child to the needs of a vibrant and expanding community, Thom has a true gift of serving his fellow man. I am honored to have him as a friend. I commend him for his continued contributions to the state of Nevada and especially the residents of Clark County.

## HONORING LANE JOHNSON ON THE COMPLETION OF HER INTERNSHIP

### HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GORDON. Mr. Speaker, I rise today to recognize the many contributions Lane Johnson has made while interning in my Washington, DC, office. A resident of Gallatin, Tennessee, Lane has been a wonderful addition to the office and a great servant to the constituents of Tennessee's Sixth Congressional District.

This fall, Lane will begin her final semester at the University of Tennessee, where she is majoring in agricultural economics and business. She is a member of Chi Omega, and I understand she is a member of the school's equestrian team. I hope those horses in Knoxville treat her better than the ones in Virginia did.

During her internship, Lane won over the entire staff with her ever-present eagerness and genuine interest in public affairs. She has attended briefings, addressed constituent concerns and served as a friendly and informative tour guide of the U.S. Capitol, providing visitors from Middle Tennessee with a personalized look at a national treasure.

I hope Lane has enjoyed her internship as much as my staff and I have enjoyed her presence in the office. I wish her all the best in the future.

## RECOGNITION OF CORPORAL RYAN J. BUCKLEY

### HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. SHIMKUS. Mr. Speaker, I rise today to recognize the life of Cpl Ryan J. Buckley who was recently killed in action fighting for freedom in Baghdad, Iraq.

Corporal Buckley was a 21-year-old from Nokomis, Illinois and was assigned to B Company, 2nd Battalion, 506th Infantry Regiment, 101st Airborne Division, Fort Campbell, Kentucky. He graduated high school in Hillsboro, IL.

Buckley paid the ultimate sacrifice for his country. He is survived by his wife, Tina of Oak Grove, KY; mother and stepfather, Sally and Russell Nation of Hillsoro, IL; his father, Dennis Buckley of Hannibal, MO; a brother, Cody Buckley; a stepbrother, Aaron Nation; a stepsister, Danielle Nation; and many other family, friends and loved ones. I am proud of the service this young man gave to his country and the service his fellow troops perform everyday. Not enough can be said about Corporal Buckley. It is soldiers like him that are risking their lives day in and day out to ensure our freedom here at home and to others throughout the rest of the world. I salute him and my best wishes go out to his family and all the troops fighting to ensure freedom and democracy. God bless them and may God continue to bless America.

## IN MEMORY OF LOUIS JOSEPH

### HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. ETHERIDGE. Mr. Speaker, today I rise to honor the life of Fire Chief Louis Joseph of Erwin, North Carolina, who died March 15, 2006. In his passing, Erwin lost one of its most outstanding citizens and a man who was instrumental in his community, county, and State.

One of the area's most beloved men, my friend Louis Joseph, died Wednesday afternoon at Rex Hospital following a battle with cancer he developed from a rare respiratory disease. He was 63. Louis was the longtime Erwin fire chief and coproprietor of Joseph's Department Store in Erwin. He was diagnosed with Wegener's Granulomatosis in October 2004. After 45 years as a firefighter and 30 years as chief, Louis's health forced him to retire from the department last June.

Chief Joseph and his brother George Joseph, Jr. were sons of an immigrant father from Beirut, Lebanon. George Joseph, Sr. came to North Carolina in 1933 to work in his brother's department store in Benson. After a try in the ice cream business, Mr. Joseph, Sr. opened a men's clothing store in 1948, which led to Joseph's Department Store and the first men's clothing store in Dunn, NC. Finally in 1951 Mr. Joseph, Sr. moved his department store east to Erwin where Joseph's Department Store still stands today. Louis and his brother George Jr. both worked at the store after school and eventually took over their father's business. Both sons demonstrated a life

long commitment to the business and to Erwin. Both George Sr. and George Jr. served as Erwin past mayors and George Joseph, Jr. continues to manage the department store. He continues to be among Erwin's most effective and giving community leaders.

Mr. Speaker, Chief Louis Joseph used every minute of his long and productive life to make the world a better place. He was a respected and successful businessman, a dedicated public servant, and a great North Carolinian. It is fitting that we honor him and his family today.

## LEGAL AID

### HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. DAVIS of Illinois. Mr. Speaker, I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God with liberty and justice for all. Justice for all—yet every year when this appropriation comes up we have to debate funding for Legal Services.

Mr. Speaker, I rise to remind this chamber about the vital and indispensable role Legal Services plays in providing access to our civil justice system for all people who would otherwise be financially incapable of seeking justice in our courts of law.

Mr. Speaker, we need to make a decision right now about what kind of government we want to be. We can either decide to ensure justice for all Americans or we can have justice for all Americans with thick wallets. We can honor all of the men and women who have sacrificed corner offices and 6-digit paychecks to work at Legal Services offices, like the one down the hall from my Chicago office, or we can turn our back on them.

I know funding is tight. I know there is a war to pay for and hundreds of other worthy causes to fund. The money pot is only so big. But this is where we need to make our decision. We promise liberty and justice to all, not liberty and justice to all who have the resources to pay for it. We are talking about the most basic representation to those Americans who have nowhere else to turn to seek justice.

When we are serious about improving race relations, relationships between law enforcement and communities, when we are serious about reducing racial profiling on our streets and roadways, in our airports and in our courtrooms, when we are serious about the real pursuit of justice for all of America, we will secure the resources necessary so that everybody will have an opportunity to bridge the gap between those who have and those who have not.

We must provide access to the judicial system for every single person who seeks it.

## TRIBUTE TO ROBERT ALLEN MUIR, JR.

### HON. VITO FOSSELLA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. FOSSELLA. Mr. Speaker, it is with great sadness that I remember a very dear friend of mine, Robert Allen Muir, Jr. of Staten Island, New York, who recently passed away. Bob was one of the kindest, most sincere and genuine people I have ever met—and I long considered him a member of my family.

Bob was a widely respected election lawyer who worked with candidates from both sides of the aisle, including Governor George Pataki, Mayor Michael Bloomberg, Steve Forbes and myself. Bob also was an aide to Mayor Lindsay and Congressman Freddy Richmond. He had a great legal mind and he put his expertise to use helping those leaders he felt could make a positive impact on New York City, State, and the nation. In addition, Bob was filled with common sense. He understood the concerns of average Americans, and he was able to express them in simple language that always made the point.

Bob was born in New York City and moved to Staten Island in his early 20s. He later lived in Brooklyn and New Jersey until finally returning to Staten Island and the New Brighton community in 2003.

A graduate of Peddie School in Hightstown, New Jersey, Bob earned his bachelor's degree from Villanova University and his law degree from Fordham University School of Law in Manhattan.

Besides a great friendship, Bob and I also shared another passion, the New York Yankees. Bob reserved his Friday nights during baseball season for trips to the Bronx to watch his beloved Bronx Bombers. He also enjoyed outings on his boat, cooking, and gardening. He and his wife, Ilsa, were set to begin their new life in their new home. Bob designed this beautiful home himself to resemble a traditional Colonial residence. Everything was looking great until the Almighty called him home.

Along with Ilsa, Bob leaves behind two daughters Karen and Heather. All who knew Bob were grateful for his kindness and compassion. He was always fighting for the most vulnerable among us. New York State and City are a better place because of Bob Muir. We miss him dearly.

## INTRODUCTION OF THE EDUCATION ASSESSMENT TECHNICAL CORRECTIONS ACT (H.R. 5717)

### HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. KIRK. Mr. Speaker, today I am introducing a bill that will improve No Child Left Behind (NCLB) implementation while maintaining its important accountability provisions.

NCLB provides a crucial level of accountability for the results of study in the classroom. While this change was welcome on both sides of the aisle, this law did present some technical problems in its ground-breaking measurement and assessment of education achievement. I have worked closely with education specialists at the North Central Education Lab as well as local education professionals as part of my Education Advisory Board to gather data on NCLB implementation. This work resulted in a White paper detailing areas of concern to my local schools, coupled with practical solutions to these problems.

Specifically, this Education Assessment Technical Corrections Act focuses on highly-qualified teacher requirements, determinations of Annual Yearly Progress (AYP), and NCLB sanctions. My legislation maintains NCLB's important accountability provisions while improving implementation of the law in these key areas.

Every child deserves an excellent teacher. Unfortunately, several schools are experiencing difficulty meeting the highly-qualified teacher requirements in certain hard-to-staff areas. Much like rural teachers were given relief through rules, teachers in "hard to staff" areas should be granted relief for the highly qualified teacher provision in the form of a two year extension. However, schools must demonstrate that they are working towards full compliance in order to qualify for the extension.

Secondly, I strongly support measuring AYP for students. However, current law does not measure individual student improvement, counts students under multiple sub-groups, and creates discrepancies between NCLB and the Individuals with Disabilities Education Act. My legislation ensures that students are compared for consecutive years rather than two different classes for the same school year, places equal weight on each student, and clarifies Individualized Education Program status under NCLB. All these changes still maintain accountability measures under NCLB but provide more accurate assessments.

Now that this landmark legislation has been in effect for a few years, it is important we revisit its effects. My bill takes into consideration important practical concerns of my local school boards while staying true to the goals of NCLB. I am proud that this bill reflects the advice and counsel of the North Central Education Lab, my Education Advisory Board and the National Education Association. I want to pay special thanks to Dr. Paul Kimmelman, the chairman of our 10th Congressional district Education Advisory Board, who led much of this work.

Mr. Speaker, the Education Assessment Technical Corrections Act represents a strong bipartisan consensus, backed by school management and unions, to make the job of defining success and education achievement more accurate and useful.

## HONORING REVEREND HOWARD JOHNSON

### HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. BONNER. Mr. Speaker, today I rise to pay tribute to Reverend Howard Johnson for his dedication to the Truevine Missionary Baptist Church of Mobile, Alabama, where he has spent the last 24 years as pastor.

Reverend Johnson was born on June 26, 1940, in Jackson, Alabama. He was reared and educated in Clarke County. He became a member of the Bethlehem Baptist Church in Citronelle, Alabama, and served there for 12 years. He received both an associate arts degree and bachelor of arts degree from S.D. Bishop State Junior College and Mobile College between 1975 and 1976. He received his master of divinity degree in 1979 when he

graduated from New Orleans Baptist Theological Seminary and his doctor of divinity degree from the Virginia Seminary. Since 1984, Reverend Johnson has served as the pastor at the Truevine Missionary Baptist Church.

Reverend Johnson has held various positions in the Mt. Olive Baptist Church and the Sweet Pilgrim Baptist Church. He has also led and been a member of many civic and religious organizations. Currently, he is the chaplain for the University of South Alabama Medical Center. He is truly a leader in our community and deserves recognition for all of his many achievements.

On Sunday, July 13, 2006, Reverend Johnson will be recognized for his 24 years of service to the Truevine Missionary Baptist Church. He and his wife, Gloria, are the proud parents of three wonderful children—a son, Private First Class Howard Johnson II; and two daughters, Zsaquez RaShaunn and Geiselle LaVonne. Private Johnson was America's first casualty in the war in Iraq. Tragically, Private Johnson's supply convoy was ambushed in the early days of the campaign in the Iraqi city of Nasiriyah. Private Johnson remains a hero not only to his family and friends but to a grateful nation.

Mr. Speaker, I ask my colleagues to join with me in congratulating Reverend Johnson on this special day and this remarkable achievement. Unfortunately, a prior engagement out of town will prevent me from joining Reverend Johnson and his family and friends as they celebrate this milestone. I know his lovely wife, Gloria, his family and his many friends join with me in praising his accomplishments and extending thanks to the Good Lord for Reverend Johnson's exemplary service over the years to the congregation of Truevine Missionary Baptist Church.

## WELCOMING THE INTERNATIONAL SHIPHOLDING CORPORATION TO SOUTHWEST ALABAMA

### HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. BONNER. Mr. Speaker, today I rise to recognize and welcome the International Shipholding Corporation to the port city of Mobile, Alabama.

For six decades, the International Shipholding Corporation has been an institution in the port of New Orleans.

Unfortunately, following Hurricane Katrina, restrictions regarding the Mississippi River Gulf Outlet were placed on the shipping industry, creating a financial burden on the corporation and similar companies. After much deliberation, International Shipholding Corporation decided to move its corporate headquarters and operations of its subsidiary CG Railway Incorporated, to the port of Mobile.

When the corporation takes up residence in Mobile in early 2007, it will bring 150 jobs to the area and more than 80 related jobs in the local maritime community. The move is also expected to increase ship traffic at the Alabama State Docks by about 9 percent. Moreover, we will be proud to have International Shipholding as the only corporation in Mobile to be publicly traded on the New York Stock Exchange.

While I know the men and women of the International Shipholding Corporation are saddened to leave their roots in southern Louisiana, I sincerely hope they find that the hospitality of the people of Mobile and southwest Alabama will help to make their transition easier.

I rise today on behalf of the people of Mobile and the First District of Alabama to welcome the newest member of our corporate family, the International Shipholding Corporation.

## TRIBUTE TO COLONEL BENJAMIN STEPHENSON

### HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. SHIMKUS. Mr. Speaker, I rise today to honor the Colonel Benjamin Stephenson House in Edwardsville. This Sunday, July 2nd marks the dedication of Stephenson House and the completion of a successful community effort to reopen her doors to the public. The House is 186 years old.

The Stephenson House is on the National Register of Historic Places and is considered to be the oldest brick home in the county. The House was also a gathering place for many of Illinois' early political leaders. Benjamin Stephenson came to the Illinois Territory in 1809 where he was appointed the first sheriff of Randolph County. During the War of 1812 he attained the rank of Colonel. Stephenson also served in Congress as a representative from the Illinois Territory from 1814–1816.

Edwardsville's Historic Preservation Committee learned in 1998 that they succeeded in receiving a grant to restore the historic House. Since that time, it has been a community effort to complete the restoration. The House is now restored and furnished as it would have been in 1820, allowing visitors to learn about Illinois in its earliest days. Visitors to the House are given a tour by volunteers who dress in period costumes, giving a glimpse into 19th century life in Edwardsville.

It is my pleasure to congratulate the Stephenson House on her dedication. I wish the volunteers and staff at the Stephenson House all the best in the years to come.

## PATRICK DURANTE

### HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. HYDE. Mr. Speaker, one of the best known and admired political figures in suburban Chicago is Patrick Durante of Addison, Illinois. One of the most influential local newspapers FRA NOI recently published a commentary by Leonard Amara about Pat that is worth reading and portions of it follow:

POLITICAL UPDATE

For many years, folks from our ethnic community have demonstrated leadership in many Illinois counties. This month, we highlight the career of the highly regarded Patrick Durante. Serving as Chairman of the Addison Township Republican Organization since 1974, this is the longest term to date for a Republican township chairman from DuPage County's Republican Party.

Born in 1940, Pat's political life started in 1964 at the age of 24, as a member of the Young Republicans. He went on to serve as Addison Township YR president, DuPage County YR vice chairman, and Illinois state YR executive director. During the course of his township chairmanship, he also served as the Illinois 6th District State Central Committeeman for 9 years. This early success demonstrated Pat Durante's interest in improving his community by suggesting its agenda and taking a leadership role.

Franco Caladipiertro, a candidate for the Illinois House in the 45th District, says of his mentor: ''I'm involved in the political process because of people like Pat Durante. Pat, along with Hank Gianvecchio, Ed Levato and others of Bloomingdale Township, are my role models as to what politicians should stand for, what we should aspire to be.''

For Pat, as an Italian American in the early 1960s, breaking into the German/Irish/English Republican establishment in DuPage County was no easy task. There were only about a half dozen Italian Americans in the DuPage County Republican Party back then, and arguably our president wasn't well received. Having to endure the ''usual Mafia, Dago barbs that were constantly spoken behind our backs,'' according to Pat, he takes great pride in knowing that he helped open doors, because today there are hundreds of Italian Americans in various positions throughout the DuPage County Republican Party.

Although Durante has been part of dozens of campaign staffs, and has personally run dozens of campaigns, his fondest memories include being a deputy state chairman for President Ronald Reagan; coordinator for Jim (Stringini) Ryan, Illinois attorney general and candidate for governor; and, most of all, serving as executive assistant to Congressman Henry Hyde.

In 1963, now-deceased Elmwood Park Village President Elmer Conti urged Durante to get involved in politics. Conti was also instrumental in getting Henry Hyde to run for Congress in 1974. Pat has always held that, if ever there is a non-Italian to whom Italian Americans owe a large debt, it is Hyde.

Pat's family lived on Peoria Street in the Taylor Street neighborhood. Angelo Durante, his paternal grandfather, came to America in 1901 from Laurino, Avellini, Italy, and opened up newspaper stands to make a living for his son James (Patrick's father), and his six daughters. His wife, who was a Gregorio, was also from Laurino.

His maternal grandfather, John Bertellotti came here from Stazzema, Italy, in 1911, along with his wife and two daughters, Josephine (Patrick's mother) and Corrinne. He opened John's Grocery Store at Flournoy and Loomis and became prominent in the Chicago Italian-American Chamber of Commerce.

Early in his professional life, Pat scraped up enough money to buy a house in Itasca, where he raised two wonderful children, Lori Ann and Vincent. Pat and his present wife, Kathie Cermak-Durante, currently reside in Addison. Vince and his lovely wife Katie live in Bartlett and recently presented Pat with life's greatest reward, a grandson, Nicholas.

Though Pat's parents passed away, they left him with many inspirational traits, the most compelling of which are his pride in being an Italian American and a passion for politics.

His future plans are to stay with Congressman Hyde until he concludes his term at the end of 2006. He will stay on as Addison Township chairman for a few more terms if his fellow Republicans allow him. and he will be involved in campaigns for governor, congressman and a few others. He will continue to

look for young people to train in the art of politics, like his protégés, Franco Coladipietro. and Dennis Reboletti, another candidate for state representative. He will help rebuild the Republican Party, while reminding himself whence he came so he can continue to be thankful for where he is today.

## COMMENDING BRIGADIER GENERAL JOSEPH J. MCMENAMIN ON HIS DISTINGUISHED SERVICE TO OUR NATION UPON HIS RETIREMENT FROM THE UNITED STATES MARINE CORPS

### HON. ROBIN HAYES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. HAYES. Mr. Speaker, I rise today to recognize and to pay tribute to Brigadier General Joseph J. McMenamin, United States Marine Corps, on the occasion of his retirement from active duty. General McMenamin has served our great Nation for more than 32 years. The departure of General McMenamin marks not only the end of an illustrious career filled with many honors, but also the commencement of several initiatives which, by virtue of his dynamic leadership, forward thinking approach, and accomplished diplomatic skills, will ensure that U.S. national strategy is prepared to meet and defeat the challenges of the 21st century.

A native of historical Philadelphia, Pennsylvania, General McMenamin graduated from Villanova University with a degree in political science in May, 1974 and later completed his Master of Arts degree in Strategic Studies and National Security Affairs graduating with distinction in May 1995 from the Naval War College in Newport, Rhode Island. Upon his commission as a Second Lieutenant in the Marine Corps via the Naval Reserve Officer Training Corps program, General McMenamin was assigned to 2d Battalion, 9th Marines, 3d Marine Division, Okinawa, Japan where he served as the 81mm Mortar Platoon Commander and Headquarters & Service Company Executive Officer. For heroism during a mission on the Koh Tang Island in the Gulf of Siam, General McMenamin earned a Bronze Star Medal with Combat "Y". Upon returning from Okinawa in February 1976, General McMenamin was assigned to Marine Corps Recruit Depot, San Diego, where he served as a Series Officer, Battalion Adjutant and Regimental Adjutant.

In October 1979, he transferred to the 1st Marine Division, Camp Pendleton, California where he served as the Weapons Company Commander and the Battalion Fire Support Coordinator with the 2d Battalion, 7th Marines for three years. Following this tour, he attended and graduated from Amphibious Warfare School with honors at Quantico, Virginia. Whereupon, General McMenamin reported to The Basic School to serve as a Tactics Instructor, Tactics Section Chief, Student Company Commander and Assistant Tactics Group Chief guiding the integration of tactics and weapons utilizing classroom instruction, field applications and live fire in order to produce a better trained basic Marine Officer. Selected for recruiting duty, he served as the Commanding Officer of Recruiting Station, Cincinnati, Ohio from June 1986 to June 1989. In Cincinnati, he focused on quality recruiting while reducing entry-level attrition. After recruiting duty, General McMenamin attended Marine Corps Command and Staff College graduating with honors. Completing school in June 1990, General McMenamin served an air-ground exchange tour with the 1st Marine Aircraft Wing in Okinawa, Japan participating in Operation Sea Angel in Bangladesh.

Returning to the United States in July 1991, General McMenamin was initially assigned as the G–3 Training Officer of the 2d Marine Division, Camp Lejeune, North Carolina. He later assumed command of the 2d Light Armored Infantry Battalion in July 1992 applying the post Desert Storm lessons learned into manuals for Command and Control and Combat Operations. He developed a comprehensive training program that laid the foundation for increased combat readiness and the professional development of his Marines and Sailors. Completing this assignment in February, 1994, General McMenamin completed his tour with the 2d Marine Division as the Assistant Chief of Staff, Readiness.

In 1995, General McMenamin reported for joint duty with the United States Central Command serving as the Strategy Branch Chief and Division Chief, Policy and Strategy Division in the J–5 Plans and Policy Directorate where he guided the development of the initial CENTCOM Theater Engagement Plan and the significant expansion of the Humanitarian Demining Program. In June, 1999, he reported for duty as the Commanding Officer of the Sixth Marine Corps District where he re-energized the District into a cohesive team increasing quantity and quality, reducing attrition, and focusing leadership development on long term success.

General McMenamin then served as the Commanding General, Marine Corps Recruit Depot/Eastern Region, Parris Island, South Carolina from June, 2001 until May, 2004. Under his leadership, Parris Island provided reception, processing and recruit training for 17,500 enlisted male and 2,200 enlisted females annually to accomplish entry-level skills. In addition, Parris Island achieved a historically low 10 percent male attrition over the course of three years.

In June, 2004, General McMenamin was assigned as the Director, Iraq Survey Group (ISG), Baghdad, Iraq leading the presidential directed joint coalition intelligence operations group in Baghdad, Iraq. The ISG was charged with the missions of assessing Iraq's weapons of mass destruction programs, supporting counter-terrorism and the POW/MIA search under combat conditions in support of Operation IRAQI FREEDOM.

General McMenamin assumed duties as the Assistant Division Commander of 2d Marine Division during December of 2004, returning to Iraq in February, 2005. Most significantly was his personal effort in the engagement of the newly elected Iraqi Leadership of Al Anbar Province. Through his tireless efforts and leadership, he laid the foundation for the Division's governance, economics, security and influence Lines of Operation that enabled the Iraqi citizens to continue regional development and participate in Iraq's Constitutional Referendum and the National Elections. Upon returning to the Camp Lejeune, he served as the Commanding General (Rear) for over 17,000 Marines and Sailors. He oversaw the Division's Pre-deployment Training Plan and execution of evolving training requirements at Mojave Viper in preparation for deployments to Iraq and Afghanistan.

General McMenamin's personal military decorations also include the Defense Superior Service Medal with Oak Leaf Cluster in lieu of Second Award, Legion of Merit Medal, Meritorious Service Medal, Joint Service Commendation Medal, Joint Service Achievement Medal, Navy Achievement Medal and the Combat Action Ribbon.

Throughout his career, General McMenamin demonstrated resolute character, discerning wisdom, and a sincere, selfless sense of duty to his Marines. General McMenamin's decisive decisions have and continue to contribute to the present day Marine Corps, as well as lay the foundation for the future of the Corps. We are grateful for General McMenamin's dedication, patriotism, advice and counsel. While the Marines will certainly miss him, General McMenamin's actions have already inspired the future leadership of the Corps. One needs to look no further than the Marines under his command for evidence of his mentorship and encouragement.

On behalf of my colleagues on both sides of the aisle, I would like to recognize General McMenamin's extraordinary accomplishments and his devoted service to the Nation. Congratulations to him, and to his sons Joe and Jim, on a long and distinguished career.

## HONORING THE WOMEN IN AMERICAN AVIATION

### HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. SMITH of Texas. Mr. Speaker, the Ninety-Nines, Inc. the International Organization of Women Pilots, which was founded by Amelia Earhart in 1929, is holding their International Conference in Washington, DC, July 5 through July 9, 2006.

Many of their members served as WASPS during World War II, ferrying airplanes throughout the United States and Europe. Today, their members are commercial airline pilots for major airlines, general aviation pilots and pilots in the Armed Forces serving all over the world.

The Ninety-Nines mission in the fields of aviation and aerospace is primarily educational and charitable. They have sponsored aerospace workshops for teachers, airport tours for school children, fear-of-flying clinics for airline passengers and flight revalidation seminars.

More than 75 percent of the Federal Aviation Administration pilot safety programs in the United States are sponsored by the Ninety-Nines.

Their visit to Washington during the Fourth of July is a special celebration and will allow them to honor women in aviation in this very special city that speaks to the heart of each of their members.

## TRIBUTE TO FREDERICK MURPHY

### HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. WALSH. Mr. Speaker, I rise today to rcognize 36 years of unstinting public service by Syracuse Housing Authority Director Frederick Murphy. I have known Fred for many years and I speak for many when I say he is one public servant who will be truly missed when he retires this week.

During his tenure, the Syracuse Housing Authority has become a national leader in developing tenant organizations and encouraging resident involvement. When Mayor Lee Alexander asked Fred to take this job in 1970, the authority was facing a number of serious problems. Working with HUD, Fred was able to reorganize the housing authority into the high performer it is today. In only a short time, the housing authority had achieved full occupancy and satisfied the residents.

Today Syracuse administers 2,500 public housing apartments, 1,300 for the elderly and 1,200 for families. Syracuse also manages more than 3,200 Section 8 vouchers, which bring more than $15 million each year to the annual economy.

During his tenure, SHA has added 325 units of housing for elderly and people with disabilities, along with another 225 units of family housing. The success of its Family Self Sufficiency (FSS) program—500 enrolled households and $1 million in escrow—led to its selection by HUD as a prototype home ownership program.

Since 1972, Syracuse has also put $180 million in capital funds to work modernizing aspects of every one of the city's public housing developments. Another example of Fred's leadership was the SHA decision to convert two schools to housing for the elderly, addressing an issue facing communities across the Nation.

Fred did not confine his leadership to Syracuse. He has been a strong national voice for public housing, serving on the board of the Council of Large Public Housing Authorities and testifying frequently before Congress.

I am pleased to have had the opportunity to work with him on behalf of the residents of Syracuse. And while his leadership and guidance will be missed, thousands of people will continue to benefit from his work for decades to come.

## PERSONAL EXPLANATION

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. POE. Mr. Speaker, due to other personal business, I unfortunately missed the following votes on the House floor on Wednesday, June 28, 2006.

I ask that the RECORD reflect that had I been able to vote that day, I would have voted "no" on rollcall Number 333, "yes" on rollcall Number 334, 335, 336, 337, and 338, and "no" on rollcall Number 339.

## RECOGNIZING SERGEANT JASON JAMES BUZZARD, UNITED STATES ARMY, WHO WAS KILLED IN ACTION IN IRAQ ON JUNE 21, 2006

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. THOMPSON of California. Mr. Speaker, it is with a heavy heart that I rise today to pay tribute to Sergeant Jason James Buzzard, United States Army, who was killed in action in Iraq on June 21, 2006, when a bomb exploded near his cargo truck while he was engaged in combat south of Baghdad. Sergeant Buzzard, 31, a resident of Mendocino County, California, answered his country's call and paid the ultimate price.

Sergeant Buzzard was born in the town of Willits, California. He graduated from Ukiah High School in Ukiah, California, where he worked for a time before fulfilling a lifelong dream to join the military.

According to his wife Michele, Sergeant Buzzard "always wanted to defend his country." He joined the U.S. Army on February 18, 1998. He was stationed in Colorado and Korea before being stationed at Fort Hood, Texas, with the Second Battalion, Eighth Infantry Regiment, Second Brigade Combat Team, Fourth Infantry Division.

Sergeant Buzzard was deployed to Iraq in November 2005. He excelled at his job, was highly regarded by his unit and twice received the Good Conduct Medal. He was awarded the Bronze Star, Purple Heart, Army Achievement Medal, National Defense Service Medal, Iraqi Campaign Medal, Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon, Combat Action Badge and Explosive Ordinance Disposal (EOD) patch, for which he was most proud.

In addition to his wife Michele, his high school sweetheart and closest companion for 13 years, Sergeant Buzzard is survived by daughter Michala Rae, son Tristan James, parents Marilyn and Jerry Buzzard, sister Kelly Lyn MacMillan, and an extended loving family.

Mr. Speaker, Sergeant Jason James Buzzard died serving the country he loved, with comrades he loved and with the love of his family in his heart. Our Nation is humbled and grateful for his sacrifice. It is, therefore, appropriate at this time that we honor and recognize Sergeant Jason James Buzzard, U.S. Army, who gave his life in service to his country.

## TRIBUTE TO RABBI STEVEN B. JACOBS

### HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to my constituent Rabbi Steven B. Jacobs for his invaluable service to the residents of the San Fernando Valley and to people throughout the world. For the past 36 years, Rabbi Jacobs has provided an unwavering commitment to civil rights and religious pluralism. This year, Rabbi Jacobs will be retiring from his position as Senior Rabbi of Temple Kol Tikvah in Woodland Hills, California. He leaves behind a legacy that exemplifies tikkun olam, the repair and healing of the world.

For many years, Rabbi Jacobs has worked to promote social justice and inter-faith and interracial relations. In 1999, he accompanied Reverend Jesse Jackson on an interfaith delegation to Yugoslavia. That delegation sought the release of captured American soldiers. When asked whether it was difficult to balance his spiritual beliefs with his personal feelings and political opinions, the Rabbi commented: "It is in our life as religious leaders to hold hands, even with people who are our enemies."

Rabbi Jacobs demonstrates the powerful impact that people of faith can have on our society through an unrelenting commitment to the protection of religious and civil rights for all people. He was honored in 2001 with the Walter Cronkite Faith and Freedom Award, presented for his efforts to promote and preserve religious liberty.

Rabbi Jacobs has served as an influential member of the Progressive Jewish Alliance, the Southern California Board of Rabbis, the Central Conference of American Rabbis, the UNICEF National Board, and the Muslim American Homeland Security Congress of the Los Angeles County Sheriffs Department. He chaired the Governor of California's Task Force on Refugees and was a delegate to the United Nations' Conference on Refugees.

As part of his exemplary international work, Rabbi Jacobs participated in an interfaith delegation to El Salvador. He also served on a mission to Prague, Czech Republic, working in conjunction with the North American Board of Rabbis to improve Jewish-Catholic relations.

Rabbi Jacobs continues to fight racism against Muslims and to foster improved Muslim-Jewish relations in Los Angeles. In 2004, he collaborated with the Muslim Public Affairs Council and the Anti-Defamation League to condemn terrorism. His efforts to denounce hate speech have allied him with the Los Angeles County Human Relations Commission, the Southern Christian Leadership Conference, the Los Angeles Gay and Lesbian Center, and many other similar organizations. I am pleased that he will continue his work through his most recent endeavor, the Rabbi Steven B. Jacobs Progressive Faith Foundation, whose vision is to promote the values of interfaith acceptance in the public and private sectors.

The Rabbi has also fought for wage reform to help ensure a living wage for all workers. He has also worked to mobilize the traditional coalition of African Americans and Jews to ensure fair and honest elections.

It is my honor to congratulate Rabbi Steven B. Jacobs for his noble career as Kol Tikvah's senior rabbi. His work has strengthened communities of faith, increased positive social action, and added to international understanding and cooperation. He has touched and improved the lives of people of all faiths not just in the San Fernando Valley but throughout the world.

## DISCRIMINATE AGAINST LANGUAGE MINORITY CITIZENS?

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. RANGEL. Mr. Speaker, I rise today in opposition to the Stearns Amendment (#21). The amendment prohibits the Department expending any funds to fulfill Section 203—the Bilingual Election Assistance Provisions of the Voting Rights Act of 1965.

As a representative of one of the many multiethnic districts in New York, I am fully conscious of the need to provide bilingual assistance to our language minorities and allow all our citizens the chance to participate in the democratic process. Thus far, bilingual election assistance has facilitated voting for over 200,000 Asian Americans nationwide, and caused a 50 percent increase in the Hispanic electorate in the first decade of the adoption of this provision.

The right to vote is a fundamental characteristic of a healthy democracy. Section 203 of the Voting Rights Act gives opportunities to enable every American citizen to exercise their right to vote. Unfortunately, despite our laws, many minority voters face impediments to voting. The Stearns Amendment makes Section 203 ineffectual, removing oversight from states and localities who would be free to discriminate against tax-paying American citizens and impeding their right to vote. We can spend billions of dollars to spread democracy in Iraq but we are refusing funding to give our citizens the right to vote.

The gentleman from Florida (Mr. STEARNS) objects to the cost incurred to provide bilingual election assistance. The Oversight Hearing of the Voting Rights Act: Section 203—Bilingual Election Assistance, Part II, before the Subcommittee on Constitution, under the House Judiciary committee, revealed that 90 percent of the jurisdictions reported (in a national survey) that bilingual election assistance made up only an average of 3 percent of total election costs. Forty percent of the jurisdictions reported no extra cost for bilingual election assistance, rendering any cost-related objection to implementation of Section 203 groundless.

Eliminating Section 203 is the same as discriminating against our citizens based on their language capability. I urge my colleagues to oppose this attempt to disenfranchise American citizens. Let us not return to the era of the Jim Crow laws. As Mr. JOHN LEWIS said, "The arguments of the opponents of Section 203 are suspiciously similar to the arguments once employed for literacy tests to disenfranchise African American voters." We cannot allow a repeat of such history.

The VRA, considered by many as the most successful civil rights legislation in the country, has played a vital role in integrating all our citizens in the democratic process. Instead to proposing amendments that weaken this legislation, we must work together to immediately ensure the renewal of its expiring provisions. H.R. 9, Fannie Lou Hamer, Rosa Parks and Coretta Scott King Voting Rights Act Reauthorization and Amendment Act of 2006, has come out of the House Judiciary Committee with a favorable voting margin of 33–1, in a rare show of bipartisanship. Let us not delay the efforts to pass this bill that has had such an important and successful effect in safeguarding the right to vote for all our citizens.

## TRIBUTE TO CORPORAL BRANDON M. HARDY, U.S. MARINE CORPS, OF COCHRANVILLE, PA

### HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. PITTS. Mr. Speaker, I rise today to remember and honor Corporal Brandon M. Hardy of Cochranville, Pennsylvania, who laid down his life for his country.

At the age of 10, Brandon watched on television as the U.S. military liberated the people of Kuwait in Operation Desert Storm. This was his inspiration to dedicate his own life to serving his country. And that's what he did.

In July of 1999, directly after graduating from Octorara Area High School, Brandon enlisted in the United States Air Force. After serving for 5 years in the Air Force, Brandon joined the Marines and was sent to Iraq. On April 28 of this year, Brandon lost his life while conducting combat operations in Iraq.

Brandon Hardy understood what it means to live a life with purpose. He served a cause greater than himself. He served the cause of liberty. He gave his life so that we might be safer, and so 26 million Iraqis might have the chance to live in freedom.

In May, I had the opportunity to travel to Iraq, and each Iraqi official I met with—from the Prime Minister down to a local police chief—thanked America for sacrificing so much on Iraq's behalf. They deeply understand the difference that men and women like Brandon Hardy have made for Iraq and for the world. And we at home know that the Global War on Terror is being waged to keep us safe, as well. Marine Corporal Brandon Hardy served others and gave back to his country, and his life made a tremendous difference in the world because of it.

As an airman, Brandon served in supply management, and he completed his service with the Air Force as a staff sergeant on July 6, 2004. Brandon further demonstrated his dedication to defending our Nation when he re-enlisted in the military—but, this time, with the Marine Corps on January 19, 2005. On June 3, 2005, Brandon graduated from Delta Company, 1st Recruit Training Battalion, Parris Island, South Carolina. He was assigned to the Hawaii-based 3rd Assault Amphibian Battalion, 3rd Marine Regiment as an amphibious assault vehicle crewman and was promoted to corporal on April 1, 2006.

The 3rd Assault Amphibian Battalion's mission is "to transport the surface assault elements of the landing force from amphibious shipping to inland objectives during the amphibious assault and to provide support to mechanized operations ashore. The amphibious assault vehicles are primarily utilized to transport personnel in tactical operations." The battalion is part of the 1st Marine Division, a multi-role, expeditionary ground combat force, that provides fully trained units and personnel to support Operation Iraqi Freedom and Operation Enduring Freedom and other objectives in the Global War on Terrorism.

On April 28, 2006, Brandon made the supreme sacrifice for his country. He was killed while conducting combat operations against enemy forces in Al Anbar Province in Iraq when his vehicle struck an improvised explosive device.

Brandon earned a number of awards throughout his career in both the Air Force and Marine Corps, which demonstrates his professionalism and outstanding ability as an airman and a Marine. His awards include an Air Force Achievement Medal, Air Force Good Conduct Medal, Air Force Outstanding Unit Medal with Valor, Iraqi Campaign Medal, Global War on Terrorism Service Medal, National Defense Service Medal, a Purple Heart (death), and an Armed Forces Expeditionary Medal.

May God grant to Brandon's family and his fiancee the peace that passes all understanding. My prayers and most heartfelt gratitude go out to them, and I offer them my deepest condolences. I am humbled by the dedicated service and sacrifice of their loved one, Corporal Brandon Hardy. Brandon joins the revered ranks of the many thousands of men and women throughout American history who have gone before him in battle to secure the liberty of the United States of America. He is an inspiration to us all.

## PAYING TRIBUTE TO AMANDA TRUMPETER

### HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. TANCREDO. Mr. Speaker, hundreds of students compete in the Congressional Art Competition in my district. I would like to take this time to honor Amanda Trumpeter of Chatfield High School. Her winning artwork will be on display with hundreds of her peers' artwork from around the country.

Ms. Trumpeter is outstanding student in both arts and academics. She has been accepted into the Advanced Placement teacher cadet program as well as being on Honor Roll. Ms. Trumpeter has also served as the President of the National Art Honor Society.

Ms. Trumpeter has is a proud recipient of the Minneapolis College of Art and Design summer expressions pre-college scholarship for her artistic abilities.

Mr. Speaker, it is my distinct pleasure to honor Ms. Trumpeter and her achievements here today, and wish her all the best in her future endeavors.

## TRIBUTE TO NEW CITIZENS

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate the individuals who will take their oath of citizenship on July 4, 2006. In true patriotic fashion, on the day of our great Nation's celebration of independence, a naturalization ceremony will take place, welcoming new citizens of the United States of America. This memorable occasion, coordinated by the Hammond Public Library and

presided over by Magistrate Judge Andrew Rodovich, will be held at Harrison Park in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the globe to the United States in search of better lives for their families. The upcoming oath ceremony will be a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize the great things America has to offer. They realize that nowhere else in the world offers a better opportunity for success and a good life than here in America.

On July 4, 2006, the following people, representing many nations throughout the world, will take their oath of citizenship in Hammond, Indiana: Ledwin Jose Polanco Abreu, Ruchi Prabhakar Parikh, Fiona Bage, Lyubov Ezerska, Victor Rene De Leon Lopez, Simon Gomez Zuniga, Inese Steinbahs, Edgar Leonel Lopez Juarez, Kyung Ho Yum, Mila Plavsic, Elvira Tirado, Branko Prpa, Miyoko Kawanoue, Doaa Fayez El Malh, Fabian Navarro Patino, Ghali Abdul Waheb Alsaymari, Hiraben Bhogilal Devgania, Doris Monika Cox, Bertha Romero, Grace Haesuk Lee, Vasilj Plavsa, Mary Theckenath, Ilir Aliu, Young Jean Choi, Ilce Angelkoski, Elizabeth Murphy, Ernesto Berong Chan, Ivonne Golfis, Prajwal Rajappa, Georgios Mihail Krinis, Alejandro Vega, Mohammed Riaz, Eva Lazaroski, Fady Eissa El Malh, Josue Daniel Bojorquez Nunez, Barbara Ivette Quezada, Danilo Djuric, Enero Manguerra Salunga, Jose Peregrino, Maureen Alexis Stevens, Chun Gao Fred Li, John Raymond Tanner, Martha Gutierrez De Rangel, Sayyada Mushthari Begum, Aline Cortes, Sandra Elaine Fraley, Vicente Gil Baltazar, Maria Isabel Maldonado, and Aladean Naji Shalabi.

Though each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country ...''of the people, by the people, and for the people.'' They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Bill of Rights, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in congratulating these individuals, who will become citizens of the United States of America on July 4, 2006, the day of our Nation's independence. They, too, will be American citizens, and they, too, will be guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

## KAZAKHSTAN'S CANDIDACY FOR OSCE CHAIRMANSHIP

### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. SMITH of New Jersey. Mr. Speaker, next week, Kassymzhomart Tokaev, the Foreign Minister of Kazakhstan, will be visiting Washington. Given Kazakhstan's growing strategic and economic significance, his agenda with U.S. Government officials and Congress is likely to be broad-ranging. But a key focus of Minister Tokaev's discussions will certainly be Kazakhstan's bid to serve in 2009 as Chair-in-Office of the 56-nation Organization for Security and Cooperation in Europe. Kazakhstan has been avidly pursuing this prestigious leadership post since 2003. The consensus decision must be made by this fall, in time for the December OSCE Ministerial Meeting.

While I support the idea of Central Asian leadership of the OSCE, my purpose today is to point out the very serious problems with Kazakhstan's candidacy. As many of my colleagues on the Helsinki Commission have concluded, awarding Kazakhstan the political leadership of OSCE in 2009 would be unwarranted and potentially dangerous for the Organization. President Nursultan Nazarbaev, in his opening statement at a recent OSCE meeting in Almaty, even admitted: ''We do not . . . have established democratic principles.'' Therefore, allowing Kazakhstan to assume the chairmanship by default is not acceptable. Kazakhstan's chairmanship bid must be deferred until the country substantially implements its OSCE commitments, especially those on human rights and democratization.

Defenders of Kazakhstan's candidacy have pointed to the country's economic reforms and relative freedom, compared to the rest of Central Asia. I concur that Kazakhstan is far ahead of the police states of Turkmenistan or Uzbekistan. But that is no great achievement. Surpassing the worst of the worst does not confer an automatic right to hold the chairmanship of the OSCE which is dedicated to upholding human rights and promoting democracy.

It has long been the State Department's position ''that any Chair of the OSCE must be in substantial compliance with all OSCE commitments.'' Over several years now, high-level U.S. Government officials have provided Nazarbaev and other Kazakh officials clear, concrete indicators of the progress necessary before serious consideration could be given to U.S. support for Kazakhstan's Chair-in-Office bid.

Yet long-promised political reforms in Kazakhstan have not materialized and the human rights climate remains poor, as documented in the State Department's annual reports. Kazakhstan's oil riches, strategic location and cooperation with the United States in antiterrorism programs cannot conceal the fact that the country remains an authoritarian state. President Nazarbaev has manipulated constitutional referendums and falsified elections to stay in power, while his relatives and friends have gained monopoly positions in the most profitable sectors of the economy. Independent and opposition media have been consistently harassed and pressured, and opposition politicians have been excluded from elections, or worse.

Such was the state of affairs before last December's presidential election, which was widely seen as a ''make-or-break'' moment for Kazakhstan. Unfortunately, the government failed to uphold its international commitments before, during and following the election. Despite repeated pledges from Nazarbaev to hold a free and fair contest, the OSCE observation mission stated the election ''did not meet a number of OSCE commitments'' due to ''restrictions on campaigning, harassment of campaign staff and persistent and numerous cases of intimidation by the authorities'' which ''limited the possibility for a meaningful competition.''

The election was a serious blow to Kazakhstan's chances to chair the OSCE. The recent establishment of the State Commission on the Development and Realization of the Programme of Political Reforms comes after the major elections, too late to have any definitive liberalizing effects. In addition, a string of events has accentuated the disturbing gap between OSCE commitments and Kazakhstan's implementation.

Last November, opposition politician and former Mayor of Almaty Zamanbek Nurkadilov was found dead in his home. According to Kazakh authorities, he shot himself three times—twice in the chest and once in the head. The official version of his death is, kindly put, implausible in the extreme.

In February, opposition politician Altynbek Sarsenbaev, along with his driver and unarmed bodyguard, was shot in an apple orchard outside Almaty. The official investigation has placed the blame for this brazen crime on Erzhan Utembaev, head of the administration of the Senate, who allegedly engaged the services of some security officers.

It is fair to say that this explanation for Sarsenbaev's death has failed to satisfy many observers. What is indisputable, however, is that anyone involved in opposition politics in Kazakhstan risks, in the worst case scenario, not merely electoral defeat but murder.

Furthermore, Kazakh officials have backed Russian plans to eviscerate the OSCE's Office for Democratic Institutions and Human Rights, which, among other important democracy promoting activities, undertakes the OSCE's election observation missions. This would pose a grave threat to the OSCE as an institution and as the most credible election monitoring organization in the world.

Recent statements and actions by local Kazakh authorities against a Hare Krishna community outside of Almaty and actions to penalize minority religious communities for unregistered religious practice run counter to OSCE norms and Kazakhstan's stated commitment to inter-religious tolerance.

On March 20, President Nazarbaev praised Uzbek President Islam Karimov's handling of unrest in Andijon in May 2005. Praise for the Andijon massacre that left hundreds dead in Uzbekistan—and which moved the OSCE, the U.S. Government and international organizations to call for an independent, impartial investigation—are hardly the ''reforms'' one expects of a country that hopes to chair the OSCE. The forced repatriation of Uzbek refugees to Uzbekistan was equally alarming.

Just today, Kazakhstan's upper house passed a highly restrictive media law that has been criticized by the OSCE's Representative

on the Media and the U.S. Ambassador to Kazakhstan. It is hoped that President Nazarbaev will not sign this problematic bill into law.

Mr. Speaker, in light of these circumstances, Kazakhstan's bid to chair the OSCE in 2009 cannot be supported. I strongly believe that backing Kazakhstan's candidacy would cause more difficulties than will result from Astana's disappointment over not winning this prize.

None of this means that we should not strive to develop the best possible relations with Kazakhstan, on a mutually beneficial basis. There are many areas of current and potential cooperation between our countries, including Kazakhstan's entry into the WTO, energy, military security and anti-terrorism. Nor does my inability to support Kazakhstan's candidacy for the OSCE Chairmanship in 2009 mean that I do not hope to be able to back a future bid. Nothing would please me more than to report to this Chamber that Kazakhstan has met its commitments on democratization and human rights and richly deserves to lead the OSCE. A Kazakh chairmanship would also move the Organization eastward in the symbolic sense, bridging what has become an uncomfortable gap between the former Soviet republics and Europe.

But that moment has not yet come, Mr. Speaker. I would encourage the Kazakh leaders to avail themselves of the opportunity of additional time to constructively engage the OSCE. Working to ensure that the Organization succeeds would aid Kazakhstan's bid for a future chairmanship, while expressing sour grapes over a denial can only add to the impression that Kazakhstan is not ready for a leadership role.

The OSCE Chairmanship represents acknowledgement of progress already made, not a stimulus to future, unproven progress. Urging the Kazakhs to defer their bid would leave the door open for Astana, should demonstrable reforms on human rights and democratization be forthcoming. That progress was promised by President Nazarbaev, when he signed the Helsinki Accords as his country joined the OSCE in 1992.

## INTRODUCTION OF BIRTHDAY RESOLUTION FOR WILLIAM JEFFERSON CLINTON

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mrs. MALONEY. Mr. Speaker, today, along with my friend and colleague from New York, Representative NITA LOWEY, I am introducing a resolution to recognize President Clinton's 60th birthday which will occur this August 19th. President Clinton has had a long and distinguished career in public service including serving as Governor of Arkansas and President of the United States. During Clinton's two terms in the White House, this country experienced unprecedented economic expansion including the creation of 22 million jobs. He worked with our NATO allies to end the ethnic cleansing in the Balkans, and he played a major role in bringing peace to Northern Ireland. Since leaving office in 2001, President Clinton has continued to devote himself to helping people around the world through the Clinton Foundation. It is because of his commitment to not only the American people, but to the people of the world that I am honored today to recognize President Clinton's birthday and I urge my colleagues to support this resolution.

## PROVIDING FOR CONSIDERATION OF H.R. 4890, LEGISLATIVE LINE ITEM VETO ACT OF 2006

SPEECH OF

### HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Ms. McCOLLUM of Minnesota. I rise in strong opposition to this sham budget proposal offered by Republican Leadership. This legislation will not reduce the deficit or spending through earmarks and will grant unprecedented power to the Executive Branch.

The line-item veto proposed today will expand Presidential power and challenge the separation of powers critical to the function of our government. It is an extreme dilution of the authority of the legislative branch if the President can hold a member's priorities hostage in order to garner votes for other initiatives. We have already seen an increase in abuse of power by the leadership in this House in order to force members to vote with the President, particularly during the debate on Medicare Part D, CAFTA, and last year's budget reconciliation bill.

Republicans today are decrying the practice of earmarking projects. However, since 1996, under the Republican watch, the number of earmarks has grown from 3,023 to 13,012 last year. As the Majority party, Republicans have had the power for the last 12 years to reduce earmarks and to add oversight to this process. But as former Reagan official Bruce Bartlett stated, "George W. Bush has turned out to be one of the most free-spending presidents on records . . . Apparently there is no pork barrel program so egregiously unjustified that he won't sign it into law".

This Republican Majority has lost all credibility on fiscal responsibility. Since President Bush took office, the Administration and Republicans in Congress have turned a $5.6 trillion surplus into a $3.2 trillion deficit. Our federal debt is $8.3 trillion—much of which is borrowed from foreign countries. In fact, this Administration has borrowed more money from foreign nations than all 42 previous U.S. Presidents combined. And under Republican rule this Congress has had to raise the debt limit four times.

A line-item veto will not solve this problem. In fact, the way this bill is written, it could actually increase spending. According to the Congressional Budget Office, giving the President this extraordinary new authority will allow the Chief Executive to pressure Members to support Administration priorities in return for promises not to cancel projects. Studies of states that have a line-item veto have documented this effect in state legislatures.

Mr. SPRATT offered a substitute measure in the Rules Committee that would have taken a real step in addressing our budget deficit. This bill would restore pay as you go rules, forcing Congress to face our spiraling deficit. It would also reduce earmarks by mandating public disclosure, and prevent reconciliation from increasing the deficit. Unfortunately, as is too often the case, the Rules Committee denied the House the opportunity to vote on this alternative. Mr. Chair, if Republicans were serious about restoring fiscal discipline we would be having a real discussion today about the Democratic substitute.

I believe strongly that it is our moral responsibility to reduce the deficit and to relieve our children and grandchildren of this reckless legacy. However, the bill on the floor today is another attempt to ask the American people to believe the Republicans are the party of fiscal responsibility, while actually making our budget situation worse. I urge my colleagues to reject this bill.

## IN HONOR OF THE ASILOMAR CONFERENCE CENTER

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. FARR. Mr. Speaker, I rise today to celebrate the 50th anniversary of the California State Parks Asilomar Conference Center in Pacific Grove, CA. Ordinarily, one would not expect a Member to rise on the floor to acknowledge the birthday of a conference grounds, but Asilomar is no ordinary place. For starters, Asilomar is nestled in the coastal dunes of the Monterey Peninsula. The name itself is Spanish for refuge by the sea.

Asilomar also boasts an extraordinary history. It began life in 1912 as the western regional conference grounds for the YWCA on 30 acres of beach front property donated by the precursor of the Pebble Beach Company. Within a year, the YWCA hired the pioneering San Francisco architect Julia Morgan. By 1921, additional land had been donated and many buildings were completed, including the centerpiece Phoebe Hearst grand meeting hall. The center could by then accommodate up to 500 people at a time. Over the course of the 20s, Asilomar grew not only as a site for YWCA activities but also as a center for religious retreats, Scouting events, and very popular summer camps. All of that ended with the Depression. Unable to pay its bills, the YWCA decided in 1934 to cease operating Asilomar. For almost 20 years Asilomar floundered along under various concession or cooperative agreements until the YWCA finally decided to sell the property in 1951.

Finally, Mr. Speaker, Asilomar is part of my own family's story. In 1955, my father Fred Farr entered the California State Senate. And while it is true that my father cared deeply about the future of Asilomar, it is also true that my mother Janet would have never let him ignore the question of its future. That year my father authored legislation along with his Assembly counterpart, Alan Patee, directing the State Parks Department to purchase Asilomar for the now unbelievably low amount of $350,000. The bill, SB 2007, passed both houses of the legislature without opposition. Unfortunately, Governor Knight then vetoed every park bill before him that summer. Needless to say, that act did not make the Governor a very popular man on the Monterey Peninsula. The uproar over the veto forced the administration to rethink its position. In December 1955, the Governor reversed his opposition to Asilomar's purchase. In the ensuing

months, my father helped to broker a purchase and operating agreement between the YWCA, Pacific Grove, and the State. Those efforts culminated in the July 1, 1956 transfer of Asilomar to the State of California.

Asilomar has since grown into one of the most unique public interest conference grounds in the world. It hosts conference groups as diverse as the annual Eco Farm conference, the Nation's largest annual organic farming gathering and an annual national gathering of electronic intelligence specialists. Last year, Asilomar saw over 175,000 guests from 1,000 different groups who netted the State over $3 million in fee revenues.

It is a legacy that my father remained supremely proud of throughout the remainder of his life. When he passed away in 1997, he had spent over 20 years on the park's official advisory commission and had spent countless hours offering formal and informal advice on the management and future of Asilomar. So while this anniversary is a celebration of a unique public park, it is also the celebration of one of my father's most cherished personal achievements.

## HONORING JO MERRILL ON HER RETIREMENT

### HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to congratulate Jo Merrill, a tireless public health advocate for healthy babies, on the occasion of her retirement from the March of Dimes after 22 years.

Today is a bittersweet day for all of us in Congress who have been involved in the effort to improve the health of babies in this country. For many Members, Jo Merrill has become the face of the March of Dimes. She educated us with the facts, challenged us to take action, and supported our efforts to improve the lives of infants through public health policy. The legacy that she leaves behind is one of healthier babies across this country, and we here in Washington will miss her wisdom and her dedication.

Jo joined the March of Dimes National Office of Government Affairs in 1984, after 10 years working for several members of Congress. The first twelve years of her tenure with the March of Dimes she focused on state based advocacy, working closely with their Chapters and Regional offices. In 1996 she moved to her current position as Director of Public Policy and Government Affairs.

Jo has played a key role in gaining enactment of a number of bills important to the March of Dimes and the health of babies. Jo made an important contribution to the creation of the State Children's Health Insurance Program (SCHIP), an effort that has resulted in the expansion of health insurance for countless uninsured children across our country. She also gave guidance for the Birth Defects Prevention Act of 1998, which authorized a comprehensive birth defects surveillance, research and prevention program at the Centers for Disease Control (CDC). She was instrumental in the development and implementation of the Children's Health Act of 2000, which established the National Center on Birth Defects and Developmental Disabilities at CDC, expanded the National Folic Acid Education Campaign, and authorized a Federal newborn screening program. And finally, Jo was a strong advocate for the reauthorization of the National Center on Birth Defects and Developmental Disabilities in 2003.

It has been my privilege to have worked with Jo to improve the health of infants through two of these major public health efforts. The first was policy aimed at increasing folic acid consumption by women in order to reduce the incidence of neural tube defects in babies. Jo was instrumental in helping my staff and I draft the Folic Acid Promotion and Birth Defects Prevention Act of 1999, which was successfully passed into law as part of the Children's Health Act of 2000. Since that time, Jo has been an effective advocate in pushing for increased funding for the Centers of Disease Control and Prevention to carry out a national folic acid education campaign, and we have been successful in making incremental progress each year in preventing these unnecessary birth defects.

My staff and I have also worked closely with Jo on the Newborn Screening Saves Lives Act. My bill will educate parents and health care providers about newborn screening, improve follow-up care for infants with an illness detected through newborn screening, and help states expand and improve their newborn screening programs, in order to help save thousands of babies each year from unnecessary disability and death. It is our hope that this legislation will pass the House and Senate in the very near future, and when it does, it will become yet another piece of the legacy that Jo leaves here in Washington.

Mr. Speaker, I want to take this opportunity to personally congratulate Jo Merrill on her retirement from the March of Dimes. I wish her the very best in her new life on the South Carolina coast. Charleston is inheriting a woman of great wisdom, charm and commitment, and I am sure that she will continue to make significant contributions in her efforts as a Public Affairs volunteer.

It is my hope that this accomplished and deserving woman will find much happiness and fulfillment in this new phase of her life. Godspeed, Jo.

## COMMENDING ALFREDO GONZALEZ KAME

### HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. GRIJALVA. Mr. Speaker, I rise today to commend Alfredo Gonzales Kame.

Mr. Kame was a great father, grandfather, and soldier. He served this country with honor, even though his family was the victim of discrimination. His father and brother were interned at the Poston Internment Camp in Poston, Arizona. He fought for his country and against the prejudice impacting his family and was courageous in both fights.

Mr. Kame, of Japanese and Hispanic heritage, was always proud of his heritage and his service to his country. A World War II veteran from Hayden, Arizona, he proudly served with Company C of the 100th Infantry Battalion.

Alfredo enlisted in June 1942 and eventually wound up in Camp Shelby with the 100th. He was deployed to North Africa and was involved in a number of campaigns including Monte Cassino, Anzio-Rome, Belvedere, Rome-Amo, Bruyeres-Biffotaine, German Gothic Line, Po Valley, and Rhineland. He was wounded in battle in Vosges Mountains at Bruyeres, France on October 15, 1944.

He was awarded a Bronze Star, Purple Heart, Presidential Unit Citation with an Oak Leaf Cluster, Combat Infantryman Badge, American Campaign Medal, Eurpean African Middle Eastern Campaign Medal, Victory Medal, and Good Conduct Medal.

After his service in the Army, he returned to Hayden in 1948, where he lived until his death. He worked for 30 years as a mill foreman for Kennecott Copper Corporation and retired in 1983.

Mr. Kame leaves a great legacy for his family and his community. He lived his entire life with honor and courage. He fought valiantly in World War II while overcoming prejudice within his country. I rise today to thank Mr. Kame and his family for their sacrifice and to ask that this Congress recognize his selflessness and service to our country.

## CELEBRATION OF INDEPENDENCE DAY

### HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. LIPINSKI. Mr. Speaker, 230 years ago today, a small and rebellious colony did an extraordinary, but simple thing. It stood up to its powerful and mighty oppressors, exploded the shackles of their tyranny and declared itself an independent nation. I rise on this Fourth of July to remember the people who gave us our present freedom, and honor them for their ability to recognize that there will always be more to unite us than divide us.

It seems obvious today that our country would be united, but in 1776, the thirteen colonies had less in common with each other than they did with their arch enemy. It is a tribute to the phenomenal leadership of our Founding Fathers that they had the vision to see past these differences, and to forge a common bond, founded on the principles that "all men are created equal," and that no government has the authority to restrict the rights of the people to life, liberty and the pursuit of happiness.

These shared values are the essence of our Union. If the signers of the Declaration of Independence were the architects of the nation, the foundations they built for us were made of the strongest stone. Even during our darkest hours, we look back on the document that launched the ship of this Republic into the rough seas of the nations of the world, and we take solace in its good words.

Mr. Speaker, the celebration of our independence is a celebration of the beliefs we hold together as a nation; it is a celebration of why we are a nation; and it is, above all, a reminder to us all that our country was founded in hope, and in the desire by the good people of the thirteen colonies to build a new nation where freedom would reign forever.

## CELEBRATION OF CARIBBEAN HERITAGE MONTH

### HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mr. MEEK of Florida. Mr. Speaker, I rise today in celebration of Caribbean Heritage Month.

It is appropriate for our country to recognize the numerous contributions of Caribbean-Americans and our Caribbean neighbors to United States history and culture, particularly since our friendships and economic partnerships in the region continue to expand.

Caribbean immigrants are found throughout the United States, and aspects of Caribbean cultures are becoming increasingly commonplace, often touching our lives in subtle ways through art, music, literature, and science.

People from the Caribbean nations have a long and proud history here. In fact, one of our most prominent founding fathers, Alexander Hamilton, was born on the Caribbean island of Nevis and then raised in St. Croix, another island of the Caribbean.

However, meaningful contributions by Caribbean immigrants began long before the American Revolution. Beginning as early as 1619, indentured workers were brought to the Jamestown colony in what is now modern-day Virginia.

Over the next four centuries, our histories and cultures became inextricably linked, so much so that many of our communities have now become an indistinguishable mixture of Caribbean and American culture and language.

My own district in South Florida is home to Bahamians, Haitians, and Jamaicans, and people from St. Kitts, Grenada, Barbados, and several other Caribbean nations.

Many of these Caribbean immigrants, as legal residents in the U.S. have enlisted in our Armed Forces and have meritoriously served in combat, putting their lives on the line to protect the people and ideals of this Nation.

During the American Revolution, these shared ideals were evidenced by freemen from the French colony of Saint Domingue, now the Republic of Haiti, who came to the United States and fought alongside our Continental Army.

Later, in 1822, it is of note that Denmark Vessey came from St. Thomas to lead an unsuccessful slave rebellion, which was the largest ever planned in our country.

Ashley Totten and Frank Crosswaith, who were born on St. Croix, helped to establish key labor unions, some still in operation today. J. Raymond Jones from St. Thomas, who is also known as the Silver Fox, ran New York City politics in the 1900s.

John James Audubon, the acclaimed naturalist and wildlife artist, was born in the former-French territory of Saint Domingue, what is now Haiti, and inspired the American conservation society that bears his namesake. W.E.B. DuBois, the Haitian-American author and political activist, became one of the most prominent, intellectual leaders of African-American society during the 20th century.

Major Joseph Savary, a Haitian, was the first black major in the United States Army, and led the Second Battalion of Freemen of Color at the Battle of New Orleans, January 8, 1815, under then-General Andrew Jackson.

Other famous Caribbean Americans include former U.S. Representative, and first female presidential candidate, Shirley Chisholm; former Head of the Ford Foundation, Franklin Thomas; Federal Judge Constance Baker Motley, the first black woman appointed to the Federal judiciary; activists such as Stokely Carmichael, Kwame Toure, Roy Innis, Malcolm X, and Lois Farrakhan; as well as world renowned actor Sidney Poitier; civil rights activist and singer Harry Belafonte; Earl Graves, philanthropist, businessman, and publisher of Black Enterprise; and now Colin Powell, the first black U.S. Secretary of State, just to name a few.

It is indeed fitting to establish a Caribbean Heritage Month as a suitable way for our country to recognize these great Caribbean-Americans and the contributions they have made to our history and society. I am proud that these contributions have finally been recognized, and I am pleased to be joined by my colleagues to pay tribute to those who have made our nation great.

## INTRODUCTION OF DIBRS LEGISLATION

### HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 29, 2006*

Mrs. MALONEY. Mr. Speaker, today, along with Representative CHRIS VAN HOLLEN (D–MD), I introduce legislation to force the Department of Defense (DoD) to implement fully the Defense Incident-Based Reporting System (DIBRS). I firmly believe that the best way to effectively tackle a problem such as sexual assault in the military is to have accurate data. The DoD has made several promises that DIBRS, which collects statistics about crimes committed within the military services, would be up and running by now. Congress first mandated that the Pentagon collect crime statistics in 1988. I repeat—Congress told the DoD to do this in 1988. Yet eighteen years later, DIBRS is not slated for completion until June 2007, if we can believe the DoD. This legislation will direct the Secretary of Defense to ensure that DIBRS is fully implemented by January 1, 2007. If DIBRS is not fully implemented by that date, the Secretary's salary will be deducted by $1,000 each day starting January 1, 2007. I believe that if the DoD will not take it upon itself to make this a priority, we in Congress have a responsibility to see that our mandates are met.

# Daily Digest

## HIGHLIGHTS

Senate passed S. 3569, U.S.-Oman Free Trade Agreement.

Senate agreed to H. Con. Res. 440, Adjournment Resolution.

The House passed H.R. 5672—Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2007.

House Committees ordered reported 10 sundry measures.

# Senate

## Chamber Action

*Routine Proceedings, pages S6729–S7260*

**Measures Introduced:** Thirty-four bills and four resolutions were introduced, as follows: S. 3596–3629, S.J. Res. 40, and S. Res. 524–526. **Pages S6786–87**

**Measures Reported:**

S. 2023, to amend the Oil Pollution Act of 1990 to improve that Act, with an amendment in the nature of a substitute. (S. Rept. No. 109–272)

H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, with an amendment in the nature of a substitute. (S. Rept. No. 109–273)

H.R. 5427, making appropriations for energy and water development for the fiscal year ending September 30, 2007, with an amendment in the nature of a substitute. (S. Rept. No. 109–274)

H.R. 5386, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, with an amendment in the nature of a substitute.

S. Res. 460, expressing the sense of the Senate that the United States should increase its support to the people of Somalia in their efforts to end decades of violence, establish lasting peace, form a democratically elected and stable central government, and become an effective partner in eradicating radicalism and terrorism from their country and the region.

S. 1554, to establish an intergovernmental grant program to identify and develop homeland security information, equipment, capabilities, technologies, and services to further the homeland security of the United States and to address the homeland security needs of Federal, State, and local governments, with an amendment in the nature of a substitute.

S. Con. Res. 105, commending the Government of Canada for its renewed commitment to the Global War on Terror in Afghanistan. **Pages S6783–84**

**Measures Passed:**

***U.S.-Oman Free Trade Agreement:*** By 60 yeas to 34 nays (Vote No. 190), Senate passed S. 3569, to implement the United States-Oman Free Trade Agreement. **Pages S6746–70**

***Adjournment Resolution:*** Senate agreed to H. Con. Res. 440, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page S7176**

***Printing Authority:*** Senate passed S.J. Res. 40, authorizing the printing and binding of a supplement to, and revised edition of, Senate Procedure. **Page S7176**

***Louis Braille Bicentennial—Braille Literacy Commemorative Coin Act:*** Senate passed S. 2321, to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille. **Pages S7176–78**

***Abraham Lincoln Commemorative Coin Act:*** Senate passed S. 811, to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the birth of Abraham Lincoln. **Pages S7178–80**

***Democratic Republic of the Congo Relief, Security, and Democracy Promotion Act:*** Senate passed S. 2125, to promote relief, security, and democracy in the Democratic Republic of the Congo, after agreeing to the following amendment proposed thereto: **Pages S7178–80**

McConnell (for Obama) Amendment No. 4545, to make certain improvements to the bill.

**Pages S7178–79**

***Recognizing the FDA:*** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H. Con. Res. 426, recognizing the Food and Drug Administration of the Department of Health and Human Services on the occasion of the 100th anniversary of the passage of the Food and Drugs Act for the important service it provides to the Nation, and the resolution was then agreed to. **Pages S7180–81**

***Job Training Improvement Act:*** Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 27, to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof the text of S. 1021, Senate companion measure, agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

**Pages S7181–S7257**

McConnell (for Enzi) Amendment No. 4546, in the nature of a substitute. **Pages S7181–S7219**

Subsequently, S. 1021 was returned to the Senate calendar. **Page S7219**

**Stem Cell Research Legislation—Agreement:** A unanimous-consent agreement was reached providing that at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate begin consideration en bloc of H.R. 810, to amend the Public Health Service Act to provide for human embryonic stem cell research, and S. 2754, to derive human pluripotent stem cell lines using techniques that do not knowingly harm embryos, and S. 3504, to amend the Public Health Service Act to prohibit the solicitation or acceptance of tissue from fetuses gestated for research purposes, that both bills be discharged from the Committee on Health, Education, Labor, and Pensions; that there be 12 hours of debate equally divided between the Majority and Democratic Leaders, or their designees; that no amendments be in order to any of the bills; that following the use, or yielding back of time, the bills be read a third time, respectively, and the Senate begin three consecutive votes on final passage of the bills in the following order: S. 3504, S. 2754, and H.R. 810; provided further, that any bill that does not receive 60 votes in the affirmative have its votes on passage be vitiated, and that those bills be returned to the calendar or to the Committee on Health, Education, Labor, and Pensions; and that it not be in order for the Senate to consider any bill or amendment relating to stem cell research during the remainder of the 109th Congress. **Pages S7169–73**

**Pearce Nomination—Referral:** A unanimous-consent agreement was reached providing that the nomination of Drue Pearce, of Alaska, to be the Federal Coordinator for Alaska Natural Gas Transportation Projects, be discharged from the Committee on Commerce, Science and Transportation and be referred to the Committee on Energy and Natural Resources. **Page S7176**

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Whip, and Senators Warner and Allen, be authorized to sign duly enrolled bills or joint resolutions.

**Page S7176**

**Authorizing Leadership to Make Appointments—Agreement:** A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S7176**

**Homeland Security Appropriations—Agreement:** A unanimous-consent agreement was reached providing that at 3 p.m. on Monday, July 10, 2006, Senate begin consideration of H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007.

**Page S7257**

**Nominations Confirmed:** Senate confirmed the following nominations:

Michael L. Dominguez, of Virginia, to be Deputy Under Secretary of Defense for Personnel and Readiness.

James B. Gulliford, of Missouri, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency.

Michael E. Ranneberger, of Virginia, to be Ambassador to the Republic of Kenya.

Robert D. McCallum, Jr., of Georgia, to be Ambassador to Australia.

Jonann E. Chiles, of Arkansas, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2008.

Daniel L. Cooper, of Pennsylvania, to be Under Secretary for Benefits of the Department of Veterans Affairs for a term of four years.

Eric M. Bost, of Texas, to be Ambassador to the Republic of South Africa.

John Clint Williamson, of Louisiana, to be Ambassador at Large for War Crimes Issues.

Leslie V. Rowe, of Washington, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands and Ambassador to the Republic of Vanuatu.

Gaddi H. Vasquez, of California, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture.

Steven C. Preston, of Illinois, to be Administrator of the Small Business Administration.

W. Stuart Symington IV, of Missouri, to be Ambassador to the Republic of Djibouti.

Gayleatha Beatrice Brown, of New Jersey, to be Ambassador to the Republic of Benin.

Peter R. Coneway, of Texas, to be Ambassador to Switzerland, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein.

Clifford M. Sobel, of New Jersey, to be Ambassador to the Federative Republic of Brazil.

Robert O. Blake, Jr., of Maryland, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives.

Thomas C. Foley, of Connecticut, to be Ambassador to Ireland.

1 Air Force nomination in the rank of general.

2 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Army, Marine Corps, Navy. **Pages S7173–76, S7259**

**Nominations Received:** Senate received the following nominations:

Bruce I. Knight, of South Dakota, to be Under Secretary of Agriculture for Marketing and Regulatory Programs.

Bruce I. Knight, of South Dakota, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Frank R. Jimenez, of Florida, to be General Counsel of the Department of the Navy.

Charles E. McQueary, of North Carolina, to be Director of Operational Test and Evaluation, Department of Defense.

Frederic S. Mishkin, of New York, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2000.

Edmund C. Moy, of Wisconsin, to be Director of the Mint for a term of five years.

Nathaniel F. Wienecke, of New York, to be an Assistant Secretary of Commerce.

Donald C. Johnson, of Texas, to be Ambassador to the Republic of Equatorial Guinea.

Peter D. Keisler, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

17 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Navy. **Pages S7258–59**

**Messages From the House:** **Pages S6781–82**

**Measures Referred:** **Page S6782**

**Measures Placed on Calendar:** **Page S6782**

**Executive Communications:** **Pages S6782–83**

**Executive Reports of Committees:** **Pages S6784–86**

**Additional Cosponsors:** **Pages S6787–88**

**Statements on Introduced Bills/Resolutions:** **Pages S6788–S6812**

**Additional Statements:** **Pages S6779–81**

**Amendments Submitted:** **Pages S6812–52**

**Notices of Hearings/Meetings:** **Pages S6852–53**

**Authorities for Committees to Meet:** **Page S6853**

**Privileges of the Floor:** **Pages S6853–54**

**Text of S. 2766, S. 2767, S. 2768, S. 2769, H.R. 5122, as previously passed** **Pages S6854–S7169**

**Record Votes:** One record vote was taken today. (Total—190) **Page S6763**

**Adjournment:** Senate convened at 9:30 a.m. and, pursuant to the provisions of H. Con. Res 440, adjourned at 7 p.m., until 2 p.m., on Monday, July 10, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7258.)

# *Committee Meetings*

*(Committees not listed did not meet)*

## APPROPRIATIONS: FOREIGN OPERATIONS

*Committee on Appropriations:* on Wednesday, June 28, 2006, Subcommittee on State, Foreign Operations, and Related Programs approved for reporting to the full Committee H.R. 5522, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, with an amendment in the nature of a substitute.

## BUSINESS MEETING

*Committee on Appropriations:* Committee ordered favorably reported the following bills:

H.R. 5427, making appropriations for energy and water development for the fiscal year ending September 30, 2007, with an amendment in the nature of a substitute;

H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, with an amendment in the nature of a substitute;

H.R. 5522, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, with an amendment in the nature of a substitute; and

H.R. 5386, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2007, with an amendment in the nature of a substitute.

## NOMINATION

*Committee on Banking, Housing, and Urban Affairs:* Committee ordered favorably reported the nomination of James S. Simpson, of New York, to be Federal Transit Administrator, Department of Transportation.

## U.S.-PERU TRADE PROMOTION AGREEMENT

*Committee on Finance:* Committee concluded a hearing to examine the U.S.-Peru Trade Promotion Agreement, after receiving testimony from Everett Eissenstat, Assistant United States Trade Representative for the Americas, Office of U.S. Trade Representative; Jon Stoner, Montana Grain Growers Association, Havre; Joy Philippi, National Pork Producers Council, Bruning, Nebraska; Leon Trammel, TRAMCO, Wichita, Kansas, on behalf of the U.S. Chamber of Commerce, Association of American Chambers of Commerce in Latin America, and the U.S.-Peru Trade Coalition; Richard L. Trumka, AFL–CIO, Washington, D.C.; and Brian D. O'Neill, J.P. Morgan, New York, New York.

## SMALL BUSINESS PENSION PLANS

*Committee on Finance:* Subcommittee on Long-Term Growth and Debt Reduction held a hearing to examine how to increase pension coverage for small business employees, receiving testimony from Craig Copeland, Employee Benefit Research Institute, David C. John, Heritage Foundation, and J. Mark Iwry, Brookings Institution, all of Washington, D.C.; Steven P. Bjerke, Edward Jones Investments, Pendleton, Oregon; Daniel Hall, StanCorp Equities, Inc., Portland, Oregon; and Paula A. Calimafde, Small Business Council of America, Bethesda, Maryland.

Hearing recessed subject to the call.

## U.S.-RUSSIA RELATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the current status of political developments in Russia and the future of the United States-Russia relationship, and S. 2435, to increase cooperation on energy issues between the United States Government and foreign governments and entities in order to secure the strategic and economic interests of the United States, after receiving testimony from Stephen Sestanovich, Council on Foreign Relations, Washington, D.C.; Dmitri Trenin, Carnegie Moscow Center/Carnegie Endowment for International Peace, Moscow, Russia; and Amy Myers Jaffe, Rice University James A. Baker III Institute for Public Policy, Houston, Texas.

## BUSINESS MEETING

*Committee on Foreign Relations:* Committee ordered favorably reported the following business items:

Protocol between the Government of the United States of America and the Government of the State of Israel, signed at Jerusalem on July 6, 2005 (Treaty Doc. 109–3);

An original bill, to exempt from certain requirements of the Atomic Energy Act of 1954 United States exports of nuclear materials, equipment and technology to India, and to implement the United States Additional Protocol;

S. Res. 460, expressing the sense of the Senate that the United States should increase its support to the people of Somalia in their efforts to end decades of violence, establish lasting peace, form a democratically elected and stable central government, and become an effective partner in eradicating radicalism and terrorism from their country and the region;

S. Con. Res. 105, commending the Government of Canada for its renewed commitment to the Global War on Terror in Afghanistan; and

The nominations of Earl Anthony Wayne, of Maryland, to be Ambassador to Argentina, Gaddi H. Vasquez, of California, for the rank of Ambassador during his tenure of service as U.S. Representative to the United Nations Agencies for Food and Agriculture, John Clint Williamson, of Louisiana, to be Ambassador at Large for War Crimes Issues, Michael E. Ranneberger, of Virginia, to be Ambassador to the Republic of Kenya, Eric M. Bost, of Texas, to be Ambassador to the Republic of South Africa, W. Stuart Symington IV, of Missouri, to be Ambassador to the Republic of Djibouti, Gayleatha Beatrice Brown, of New Jersey, to be Ambassador to the Republic of Benin, Robert O. Blake, Jr., of Maryland, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to

the Republic of Maldives, Robert D. McCallum, Jr., of Georgia, to be Ambassador to Australia, Leslie V. Rowe, of Washington, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands and Ambassador to the Republic of Vanuatu, Clifford M. Sobel, of New Jersey, to be Ambassador to the Federative Republic of Brazil, Peter R. Coneway, of Texas, to be Ambassador to Switzerland, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein, and Thomas C. Foley, of Connecticut, to be Ambassador to Ireland.

## FEDERAL EMPLOYEE PERFORMANCE

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine S. 3492, to strengthen performance management in the Federal Government, to make the annual general pay increase for Federal employees contingent on performance, and S. 3584, to amend chapter 41 of title 5, United States Code, to provide for the establishment and authorization of funding for certain training programs for supervisors of Federal employees, after receiving testimony from Dan G. Blair, Deputy Director, Office of Personnel Management; Darryl Perkinson, Federal Managers Association, Alexandria, Virginia, on behalf of Government Managers Coalition; Colleen M. Kelley, National Treasury Employees Union, Jacqueline Simon, American Federation of Government Employees, AFL–CIO, and Patricia McGinnis, Council for Excellence in Government, all of Washington, D.C.

## COMMUNITY DEVELOPMENT BLOCK GRANT REFORM

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine the case for reform regarding community development block grants, focusing on issues surrounding program formulas, recipient communities, and management of grants within the Community Development Block program, including aspects of the reform package, the "CDBG Reform Act of 2006", after receiving testimony from Pamela H. Patenaude, Assistant Secretary for Community Planning and Development, and Kenneth M. Donohue, Inspector General, both of the Department of Housing and Urban Development; Eileen Norcross, Mercatus Center at George Mason University, Fairfax, Virginia; and Cardell Cooper, National Community Development Association, Washington, D.C.

## BUSINESS MEETING

*Committee on the Judiciary:* Committee began consideration of H.R. 1036, to amend title 17, United States Code, to make technical corrections relating to Copyright Royalty Judges, agreeing to an amendment in the nature of a substitute, and S. 155, to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, agreeing to an amendment in the nature of a substitute, but did not take final action thereon, and recessed subject to call.

## MULTIDISTRICT LITIGATION RESTORATION ACT

*Committee on the Judiciary:* Subcommittee on Administrative Oversight and the Courts concluded a hearing to examine H.R. 1038, to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, after receiving testimony from Judge Wm. Terrell Hodges, United States District Court for the Middle District of Florida, Ocala; and Judge Thomas W. Thrash, Jr., United States District Court for the Northern District of Georgia, Atlanta.

## NOMINATION

*Committee on Small Business and Entrepreneurship:* Committee ordered favorably reported the nomination of Steven C. Preston, of Illinois, to be Administrator of the Small Business Administration.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 35 public bills, H.R. 5710–5744; 1 private bill, H.R. 5745; and 11 resolutions, H. Con. Res. 440–444; and H. Res. 900–905 were introduced.

**Pages H4914–17**

**Additional Cosponsors:** **Pages H4917–18**

**Reports Filed:** Reports were filed today as follows:

H.R. 5417, to amend the Clayton Act with respect to competitive and nondiscriminatory access to the Internet, with an amendment (H. Rept. 109–541);

H.R. 4019, to amend title 4 of the United States Code to clarify the treatment of self-employment for purposes of the limitation on State taxation of retirement income, with an amendment (H. Rept. 109–542); and

H.R. 2730, to establish a grant program to fund eligible joint ventures between United States and Israeli businesses and academic persons, to establish the International Energy Advisory Board, and for other purposes (H. Rept. 109–543). **Page H4914**

**Chaplain:** The prayer was offered by the guest Chaplain, Rev. W. Douglas Tanner, Jr., President, The Faith and Politics Institute, Washington, D.C.

**Page H4797**

**Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2007:** The House passed H.R. 5672, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, by a yea-and-nay vote of 393 yeas to 23 nays, Roll No. 349. Consideration of the measure began on Tuesday, June 27th.

**Pages H4799–H4808**

Agreed to:

Andrew amendment to prohibit funds from being used to implement the revision to Office of Management and Budget Circular A–76 made on May 29, 2003. **Page H4800**

Rejected:

Poe amendment (No. 18 printed in the Congressional Record of June 26th) that sought to prohibit funds from being used by the Secretary of State to implement a plan under section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note) that permits travel into the United States from foreign countries using any document other than a passport to denote citizenship and identity (by a recorded vote of 90 ayes to 318 noes, Roll No. 347); and **Pages H4800–02, H4805**

Hefley amendment that sought to reduce the overall funding of the bill by $590 million or 1 percent (by a recorded vote of 94 ayes to 316 noes, Roll No. 348). **Pages H4804, H4805–06**

Point of Order sustained against:

Jackson-Lee of Texas amendment that sought to prohibit funds from being used to fund State or local anti-drug task forces that do not collect, and make publicly available, data as to the racial distribution of convictions as a result of their operation.

**Pages H4802–04**

Later, agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H4830**

H. Res. 890, the rule providing for consideration of the bill was agreed to on Tuesday, June 27th, by a yea-and-nay vote of 224 yeas to 188 nays, Roll No. 319, after agreeing to order the previous question without objection.

**Fourth of July District Work Period:** The House agreed to H. Con. Res. 440, providing for a conditional adjournment of the House and a conditional recess or adjournment of the Senate, by a yea-and-nay vote of 220 yeas to 197 nays, Roll No. 353.

**Pages H4827, H4829–30**

**Domestic Energy Production through Offshore Exploration and Equitable Treatment of State Holdings Act of 2006:** The House passed H.R. 4761, to provide for exploration, development, and production activities for mineral resources on the Outer Continental Shelf, by a yea-and-nay vote of 232 yeas to 187 nays, Roll No. 356.

**Pages H4830–75, H4890–92**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. **Page H4845**

Agreed to:

Pombo amendment (No. 1 printed in H. Rept. 109–540) modified, to make a number of technical corrections and to address jurisdictional issues with the Committee on Science and the Committee on Education and the Workforce regarding section 23 of the bill by eliminating a kindergarten through grade 12 education component and by providing an authorization for a Department of Energy research, development and scholarship program;

**Pages H4860–68**

Inslee amendment (No. 2 printed in H. Rept. 109–540) increases the amount made available by

the Secretary for renewable ocean energy generation from $6 million to $20 million; and **Pages H4868–70**

Davis of Virginia amendment (No. 3 printed in H. Rept. 109–540) authorizes $150 million of OCS receipts to be available to the Secretary of the Treasury for each of the fiscal years 2007 through 2016 to make payments subject to appropriations to fund in part capital and preventive maintenance projects for the Washington Metropolitan Area Transit Authority (WMATA). **Pages H4870–71**

Rejected:

Markey amendment (No. 4 printed in H. Rept. 109–540) that sought to strike provisions in the bill lifting the 25-year moratorium on oil and gas drilling in environmentally-sensitive areas offshore and leaves provisions designed to provide oil companies with incentives to renegotiate existing leases that fail to include market-based price caps for the suspension of royalty-free drilling and begin production on active leases that are not producing (by a recorded vote of 170 ayes to 249 noes, Roll No. 354); and **Pages H4871–72, H4890**

Bilirakis amendment (No. 5 printed in H. Rept. 109–540) that sought to prohibit leasing (either oil and gas or natural gas) within 125 miles of a state's coastline unless the state requests leasing (by a recorded vote of 65 ayes to 353 noes, Roll No. 355). **Pages H4872–75, H4890–91**

Later, agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H4893**

H. Res. 897, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 224 yeas to 193 nays, Roll No. 352. **Pages H4808–17, H4828–29**

**Supporting intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate Congressional consultation and specifically condemning the disclosure and publication of classified information that impairs the international fight against terrorism and needlessly exposes Americans to the threat of further terror attacks by revealing a crucial method by which terrorists are traced through their finances:** The House agreed to H. Res. 895, to support intelligence and law enforcement programs to track terrorists and terrorist finances conducted consistent with Federal law and with appropriate Congressional consultation and specifically condemning the disclosure and publication of classified information that impairs the international fight against terrorism and needlessly exposes Americans to the threat of further terror attacks by revealing a crucial method by which terrorists are traced through their finances, by a yea-and-nay vote of 227 yeas to 183 nays, Roll No. 357. **Pages H4875–90, H4892–93**

H. Res. 896, the rule providing for consideration of the bill was agreed to by a recorded vote of 220 ayes to 195 noes, Roll No. 351, after agreeing to order the previous question by a yea-and-nay vote of 222 yeas to 195 nays, Roll No. 350. **Pages H4817–28**

**Committee Resignation:** Read a letter from Representative McKeon wherein he resigned from the Committee on Armed Services, effective today. **Page H4893**

**Committee Election:** The House agreed to H. Res. 902, electing the following Member to the following standing committees of the House of Representatives: Mr. Bilbray to the Committees on Armed Services, Government Reform, and Veterans' Affairs. **Page H4893**

**Meeting Hour:** Agreed that when the House adjourn today, it adjourn to meet at noon on Monday, July 3, 2006, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 440, in which case the House shall stand adjourned pursuant to that resolution. **Page H4893**

**Calendar Wednesday:** Agreed to dispense with the Calendar Wednesday business of Wednesday, July 12. **Page H4893**

**Late Report:** Agreed that the Committee on Financial Services have until noon on July 7, 2006 to file a report on H.R. 2990. **Page H4893**

**Senate Message:** Messages received from the Senate today appear on pages H4797 and 4899.

**Senate Referrals:** S. 811, S. 2321, S. 2766, S. 2767, S. 2768 and S. 2769 were held at the desk and S.J. Res. 40 was referred to the Committee on House Administration. **Page H4913**

**Quorum Calls—Votes:** Six yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages H4805, H4805–06, H4807–08, H4827–28, H4828, H4829, H4829–30, H4890, H4891, H4891–92, and H4892–93. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and at 10:19 p.m. pursuant to the provisions of H. Con. Res. 440, stands adjourned until 2 p.m. on Monday, July 10, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

# *Committee Meetings*

## RENEWABLE FUELS MARKET

*Committee on Agriculture:* Held a hearing to review Agriculture's Role in the Renewable Fuels Market. Testimony was heard from Thomas C. Dorr, Under Secretary, Rural Development, USDA; and public witnesses.

## REPORTS OF WMD IN IRAQ

*Committee on Armed Services:* Held a hearing on reports of weapons of mass destruction findings in Iraq. Testimony was heard from LTG Michael D. Maples, USA, Director, Defense Intelligence Agency, Department of Defense; Terence Taylor, former Commissioner, U.N. Special Commission on Iraq; and public witnesses.

## SPECIAL OPERATIONS COMMAND MISSIONS

*Committee on Armed Services:* Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on assessing United States Special Operations Command's missions and roles. Testimony was heard from GEN Wayne A. Downing, USA (Ret.); and public witnesses.

## U.S. COMPETITIVENESS

*Committee on Energy and Commerce:* Held a hearing on Growth, Opportunity, Competition—America Goes to Work. Testimony was heard from Carlos M. Gutierrez, Secretary of Commerce.

## FINANCIAL SERVICES AND INFLUENZA PREPAREDNESS

*Committee on Financial Services:* Subcommittee on Oversight and Investigations held a hearing entitled ''Pandemic Influenza Preparedness in the Financial Services Sector.'' Testimony was heard from D. Scott Parsons, Deputy Assistant Secretary, Critical Infrastructure Protection and Compliance Policy, Department of the Treasury; and public witnesses.

## MISCELLANEOUS MEASURES

*Committee on Government Reform:* Ordered reported the following measures: H.R. 3329, Civilian Prisoner-of-War Medal Act of 2005; H.R. 5607, Federal Wildland Firefighter Classification Act; H.R. 4962, To designate the facility of the United States Postal Service located at 100 Pitcher Street in Utica, New York, as the ''Captain George A. Wood Post Office Building''; H.R. 5626, To designate the facility of the United States Postal Service located at 802 South Carrier Parkway in Grand Prairie, Texas, as the ''Alexander McRae Dechman Post Office Building''; H. Res. 189, Expressing the sense of the House of Representatives that a day ought to be established to bring awareness to the issue of missing persons; H. Res. 721, Supporting the goals and ideals of a Salvadoran-American Day (El Dia del Salvadoreno) in recognition of all Salvadoran-Americans for their hard work, dedication, and contribution to the stability and well-being of the United States; and H.R. 5711, To permit the Joint Committee on Judicial Administration in the District of Columbia to establish a program of voluntary separation incentive payments for nonjudicial employees of the District of Columbia courts.

## WHISTLEBLOWERS PROTECTIONS

*Committee on Government Reform:* Held a hearing entitled ''What Price Free Speech?: Whistleblowers and the Ceballos Decision.'' Testimony was heard from Richard Ceballos, Deputy District Attorney, Los Angeles County, California; and public witnesses.

## CHEMICAL FACILITY ANTI-TERRORISM ACT OF 2006

*Committee on Homeland Security:* Subcommittee on Economic Security, Infrastructure Protection and Cybersecurity held a hearing on H.R. 5695, Chemical Facility Anti-Terrorism Act of 2006. Testimony was heard from Michael A.L. Balboni, Senator, New York State; and public witnesses.

## SOMALIA CRISIS

*Committee on International Relations:* Subcommittee on Africa, Global Human Rights and International Operations and the Subcommittee on International Terrorism and Nonproliferation held a joint hearing on Somalia: Expanding Crisis in the Horn of Africa. Testimony was heard from Jendayi E. Frazer, Assistant Secretary, Bureau of African Affairs, Department of State; Ted Dagne, Specialist in African Affairs, CRS, Library of Congress; and public witnesses.

## NORTH KOREAN BRINKMANSHIP

*Committee on International Relations:* Subcommittee on Asia and the Pacific, hearing on North Korean Brinkmanship: Is U.S. Policy Up to the Challenge? Testimony was heard from Christopher Hill, Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State.

## PROUD TO BE AN AMERICAN CITIZEN ACT

*Committee on the Judiciary:* Ordered reported H.R. 5323, Proud to Be an American Citizen Act.

## JUDICIARY TRANSPARENCY AND ETHICS ENHANCEMENT ACT OF 2006

*Committee on the Judiciary:* Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 5219, Judiciary Transparency and Ethics Enhancement Act of 2006. Testimony was heard from Senator Grassley; and public witnesses.

## NORTH AMERICAN WETLANDS CONSERVATION ACT OF 2006

*Committee on Resources:* Subcommittee on Fisheries and Oceans held a hearing on H.R. 5539, North American Wetlands Conservation Reauthorization Act of 2006. Testimony was heard from Representative Kennedy of Minnesota; Mathew J. Hogan, Acting Assistant Secretary, Fish, Wildlife, and Parks, Department of the Interior; John Frampton, Director, Department of Natural Resources, State of South Carolina; and public witnesses.

## OVERSIGHT—HEALTHY FORESTS: TARGETS AND ACCOMPLISHMENTS

*Committee on Resources:* Subcommittee on Forests and Forest Health held an oversight hearing on Healthy Forests: Targets and Accomplishments. Testimony was heard from P. Lynn Scarlett, Deputy Secretary, Department of the Interior; and Mark Rey, Under Secretary, Natural Resources and Environment, USDA.

## OVERSIGHT—AIRLINE PASSENGER BAGGING SCREENING

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held an oversight hearing on Airline Passenger Baggage Screening: Technology and Airport Deployment Update. Testimony was heard from Randy Null, Assistant Administrator, Operational Process and Technology, Transportation Security Administration, Department of Homeland Security; Cathleen A. Berrick, Director, Homeland Security and Justice Issues, GAO; and public witnesses.

## OVERSIGHT—VA DATA SECURITY

*Committee on Veterans' Affairs:* Held an oversight hearing on VA's current status of mitigating the nation's second largest data breach. Testimony was heard from the following officials of the Department of Veterans Affairs: R. James Nicholson, Secretary; Gordon H. Mansfield, Deputy Secretary; Jonathan Perlin, M.D., Under Secretary, Health, Veterans Health Administration; Ronald R. Aument, Deputy Under Secretary, Benefits, Veterans Benefits Administration; and William Tuerk, Under Secretary, Memorial Affairs, National Cemetery Administration.

## CHILD AND FAMILY SERVICES IMPROVEMENT ACT; U.S.-OMAN FREE TRADE AGREEMENT IMPLEMENTATION ACT

*Committee on Ways and Means:* Ordered reported the following bills: H.R. 5640, amended, Child and Family Services Improvement Act of 2006; and H.R. 5684, United States-Oman Free Trade Agreement Implementation Act.

## INTEGRATED COLLECTION ARCHITECTURE

*Permanent Select Committee on Intelligence:* Met in executive session to hold a hearing on Integrated Collection Architecture. Testimony was heard from departmental witnesses.

## BRIEFING—GLOBAL UPDATES/HOTSPOTS

*Permanent Select Committee on Intelligence:* Met in executive session to receive a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

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# COMMITTEE MEETINGS FOR FRIDAY, JUNE 30, 2006

*(Committee meetings are open unless otherwise indicated)*

### Senate

No meetings/hearings scheduled.

### House

*Committee on International Relations,* Subcommittee on Africa, Global Human Rights and International Operations, hearing on The Plight of Religious Minorities: Can Religious Pluralism Survive? 9:30 a.m., 2172 Rayburn.

*Next Meeting of the* SENATE

2 p.m., Monday, July 10

Senate Chamber

**Program for Monday:** After the transaction of any morning business (not to extend beyond 3 p.m.), Senate will begin consideration of H.R. 5441, Homeland Security Appropriations.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

2 p.m., Monday, July 10

House Chamber

**Program for Monday:** To be announced.

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