The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. PORTER).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC, March 15, 2005.
I hereby appoint the Honorable Jon C. Porter to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate between the parties, with each party limited to 25 minutes, and each Member other than the majority and the minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 9:50 a.m.

The Chair recognizes the gentleman from Missouri (Mr. SKELTON) for 5 minutes.

HOUSE DEMOCRATS SPEAK OUT ON NATIONAL SECURITY

Mr. SKELTON. Mr. Speaker, I rise this morning, along with my colleague, the gentleman from Ohio (Mr. RYAN), to talk about how House Democrats feel about national security. It may seem obvious to say we Democrats support our troops and support a strong national defense, but I want to offer today a more detailed explanation of where we stand and why.

These are challenging and difficult times for our country. We are engaged in a global war against terrorism, we have military forces deployed around the world, and we are involved in two shooting wars in Iraq and in Afghanistan. These deployments and these conflicts are putting a terrible strain on our military, on our troops, on our equipment, on our military families, on our defense budget, and on our national economy.

I believe we will overcome these challenges because we have the greatest treasure in the world, our service men and women, who are selflessly serving around the globe on behalf of this great Nation. They are the key to the war on terrorism, more than any doctrine or system. Their effort and sacrifice will make ultimate victory for us in the war on terror, and in Iraq and Afghanistan, possible.

Unfortunately, the two most people-intensive services, the Army and the Marine Corps, are last in line for funding from the Defense Department. For example, the fiscal year 2006 budget request for the Army, not counting money that may be added in the supplemental, actually declined by some $300 million relative to last year's level.

Mr. Speaker, it is incredible to think that this administration would actually reduce funding for the Army, the service with the most people and the most equipment in Iraq and Afghanistan, in a time of war. Even if the amount for the Army is ultimately increased because of supplemental appropriations, what kind of signal does this send our troops, who are literally putting their lives on the line, when the administration asks for fewer funds for their service? Our servicemen and women deserve better.

I know I speak for all House Democrats in saying we support our troops, but what is more important for everyone to understand is that supporting the troops is more than just a bumper sticker. It means giving them the best possible leadership, the finest training, and up-to-date and working equipment, protective armor body, and vehicle armor. We in Congress have a duty to ensure that they have all the tools they need to succeed on the battlefield.

We also have a duty to provide for their families while they are deployed in service to our great Nation. We have a duty to take care of the families of those who are killed and those who are wounded.

Mr. Speaker, we also have a duty to our citizen soldiers, members of the National Guard, members of the Reserve, who also make such extraordinary sacrifices. They not only serve our country beside their active-duty counterparts, but they also do so at considerable sacrifice back home. Because they have jobs in their communities, oftentimes they give up these jobs and ask someone else to pick up the slack created by their absence. Moreover, while they are deployed, their families are entitled to benefits, but it is often hard for families to use these benefits because so many of them do not live close to military facilities.

Finally, Mr. Speaker, we Democrats believe we have an obligation to our Veterans, whether it is allowing them to receive full retired pay in addition to VA disability compensation, allowing their survivors to receive both Social Security and Survivor Benefit Plan benefits, or allowing their survivors to receive Dependency and Indemnity Compensation in addition to VA benefits. We have an obligation to make sure they know that America appreciates their patriotism and is willing to recognize their sacrifices.

Mr. Speaker, we also have a duty to our veterans. We must make sure that they are treated fairly, that they are provided with the best possible care and support.

I believe we have a duty to provide for our troops, to support them, to give them the best possible leadership, the finest training, and up-to-date and working equipment, protective armor body, and vehicle armor. We in Congress have a duty to ensure that they have all the tools they need to succeed on the battlefield.

We also have a duty to provide for their families while they are deployed in service to our great Nation. We have a duty to take care of the families of those who are killed and those who are wounded.

May God protect our troops and all who serve our country. Amen.
clear. While Democrats support a strong military and support using our military when necessary, we do not support squandering it.

My concern, Mr. Speaker, is that we are starting to see visible signs of strain in our military. I do not want to see it happen. My colleague, the gentleman from Ohio (Mr. Ryan), will speak to these issues momentarily.

The bottom line, Mr. Speaker, is that all Members should support our men and women in uniform, we should not deploy them without the resources and we should give them the compensation, recognition, and tools they, as well as their families, need and deserve. I know I speak for all Democrats in saying we honor their service.

HOUSE DEMOCRATS SUPPORT OUR TROOPS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2006, the gentleman from Ohio (Mr. Ryan) is recognized during morning hour debates for 5 minutes.

Mr. Ryan of Ohio. Mr. Speaker, I would like to start off by thanking the gentleman from Missouri (Mr. Skelton), our leader on the House Committee on Armed Services, for his very thoughtful remarks.

I too rise this morning, Mr. Speaker, to talk about how House Democrats feel about national security. To colleague, the gentleman from Missouri (Mr. Skelton), talked about how Democrats are unanimous in supporting our men and women in uniform. I wholeheartedly agree with that. The gentleman from Missouri also made the point that we are perilously close to breaking the force, and I agree with that observation too, and that is what I would like to focus on here this morning.

Extended global deployment is straining our forces. Fifteen hundred American troops have been killed in Iraq so far, despite the President’s claim a year ago that our mission was accomplished. The implications of these decisions and these remarks is that our recruiting is suffering. The Marine Corps missed its recruiting goal for January. The Army missed its goal for January and February. Items not funded in the Marine Corps request include $13.9 million for recruiting. The Army missed its goal for January. The Army missed its goal for January and February. Items not funded in the Marine Corps request include $13.9 million for recruiting. The Army missed its goal for January. The Army missed its goal for January and February. Items not funded in the Marine Corps request include $13.9 million for recruiting.

The Air Force, Mr. Speaker, is projecting a $3 billion deficit in its operations and maintenance budget for fiscal year 2006. Navy leaders directed their regional commands to absorb a $300 million reduction in base operating funds as a result of the war costs. The Air Force’s shortfall in base operating support is projected to be $1.2 billion.

Mr. Speaker, forcing the military services to absorb costs of this magnitude is important for several reasons. The budget request for our military services for 2006 is for war and general operation. We are about to pass a 2005 supplemental and we will need a 2006 supplemental.

Democrats believe the administration should be honest with the American people about the real cost of the war. Is the administration doing everything it can to address equipment shortages, personal protective gear and the armored vehicles for the troops? Figures in this budget suggest that the Department of Defense may be robbing Peter to pay Paul.

Does the administration have a plan for success in Iraq and to pay the costs of this war? Repeated supplementals is no way to go about doing this country’s business. We would not have to make such difficult decisions with regard to our troops’ safety if Republicans had not insisted on tax cuts for the wealthiest Americans.

Administration witnesses have not been able to tell us what the benchmarks for success are in Iraq. They do not know when Iraqis can protect themselves. They cannot describe the new government’s plan to ensure inclusion of those groups into the body politic. They cannot even say when essential services will be fully restored. They cannot tell us how much Iraqi oil revenue is helping to pay the cost of providing security in Iraq, which was promised to us before we went into this war. It has been 2 years since we invaded Iraq, and we should, by now, have a strategy for success.

House Democrats support our troops. We work to ensure they have the equipment and training and to ensure that they succeed in Iraq and Afghanistan. We support taking care of their families while they are deployed. We cannot do that in a smart, cost effective way that protects the taxpayers without a plan for success in Iraq and honest budgeting for the military departments here at home.

We also need to mention the veterans. The pending budget resolution proposes $798 million in cuts to mandatory programs. It is unconscionable, I say to my colleagues from Missouri, that the Army’s shortfall in all these troops coming back to the United States and not have the veterans benefits that they need, deserve, and that they have earned.

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2006, the gentleman from Oregon (Mr. Blumenauer) is recognized during morning hour debates for 5 minutes.

Mr. Blumenauer. Mr. Speaker, we cannot today speak of lightly the importance of speaking to these issues. This morning, I speak on an important but a lighter note, because this week we have hundreds of cyclists from all over America who are coming to Capitol Hill as part of the National Bicycle Summit.

Fifty-seven million Americans ride bicycles every year. Thirty-three million rode bikes in the last month. And on a daily basis there are approximately one-half million bicycle commuters.

The bicycle industry is an important part of our economy. There are over 6,000 bicycle shops, 2,000 companies that deal with bicycle manufacturing, and tens of thousands of people there.

There is a large and emerging industry of bicycle tourism. Yet there is a significant area of difficulty that the cyclists will bring to Capitol Hill pleading their case. Half the Americans are satisfied with their transportation environment. And although cycling makes up about 7 percent of the total trips, it represents a disproportionate number of the fatalities, and it receives less than 1 percent of Federal funding.

There are significant areas where bicycling could make a difference, not just in terms of transportation. We find in the area of increasing focus on our health habits a growing concern about obesity. Public health officials agree that everyone should have 30 minutes of physical activity every day, and children need an additional 20 minutes, at a minimum, of vigorous activity several times a week, yet 78 percent of our children fall short of this goal.

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the energy savings associated with promoting bicycling.

Yes, Mr. Speaker, our friends from around the country will be joining us this week for the Bicycle Summit. I would urge my colleagues who are not part of the over 160 members of the Congressional Bike Caucus to join this week, to get their official Bike Caucus membership pin, and to join us for a ride at 2 p.m. on Friday with the members of the Bike Caucus and the Bicycle Summit around Washington, D.C.

Mr. Speaker, this is an opportunity for us to do something in a very "bike-partisan" way that will make America healthier, make our families safer, and enhance economic security while we do something that enriches the life of us all.

THE NATION'S FISCAL CRISIS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from California (Mr. CARDOZA) is recognized during morning hour debates for 5 minutes.

Mr. CARDOZA. Mr. Speaker, I rise today to recognize our Nation’s fiscal crisis and budgeting process that, frankly, defies logic.

As we consider the budget this week, let us keep a few facts in mind:

First, our Nation’s debt is out of control. We are expected to run a $427 billion deficit in 2005, with more deficits projected well into the future. This is $600 billion if you count what is being stolen from Social Security trust funds.

Second, we do not even have a firm grip on where our money is going. For example, at the Department of Defense, only 6 of 63 departments are able to produce a clean audit. That is less than 10 percent.

Third, the Bush budget omits so many major expenses that the budget is virtually a sham. The administration has essentially cooked the books using Enron-style accounting.

So here we are trying to pass a budget that hides half our problems. Already we know that foreign holdings in United States debt, are on the rise and that the trade deficit is totally out of control.

Mr. Speaker, I hope this Congress will wake up and restore fiscal responsibility. The Blue Dog Coalition’s 12-step reform plan is a good place to start. It requires a balanced budget, stops Congress from buying on credit, and puts a lid on spending. The time to stop digging is now.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule 1, the Chair declares the House in recess until 10 a.m.

Accordingly (at 9 o’clock and 17 minutes a.m.), the House stood in recess until 10 a.m.

STOP FUNDING A CROOKED WAR

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

Mr. KUCINICH. Mr. Speaker, I've been asking for permission to address the House for 1 minute and to revise and extend my remarks. I received that permission today and I will use this time to oppose the war with Iraq, and call for an immediate and unconditional withdrawal of American forces from Iraq.

Today, we have a chance to end the war in Iraq and bring our troops home. We have a chance to enhance economic security while we do something in a very "bike-partisan" way that will make America healthier, make our families safer, and enhance economic security while we do something that enriches the life of us all.

The recess having expired, the House was ordered to recess until 10 a.m.

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THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day’s proceedings and announces to the House his approval thereof. Pursuant to clause 1, rule 1, the Journal stands approved.

PLEDGE OF ALLEGIANCE

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

Mr. HENSARLING 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.

WELCOMING THE MOST REVEREND EDWARD J. SLATTERY, BISHOP OF TULSA

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

Mr. SULLIVAN. Mr. Speaker, it is my honor to introduce our guest chaplain who so thoughtfully and graciously led us in prayer this morning.

The Most Reverend Edward J. Slattery serves as the third Bishop of the Diocese of Tulsa. Bishop Slattery was ordained a priest on April 26, 1966 for the Archdiocese of Chicago by the late John Cardinal Cody.

During this time in Chicago, Bishop Slattery served as Pastor of St. Rose of Lima Parish. This was an inner-city Hispanic parish on the south side of Chicago.

Additionally, Bishop Slattery served as President of the Catholic Church Extension Society, a funding agency for the American home missions.

Mr. Speaker, it is my honor to introduce our guest chaplain who so thoughtfully and graciously led us in prayer this morning.

The Most Reverend Edward J. Slattery serves as the third Bishop of the Diocese of Tulsa at Holy Family Cathedral.

By the grace of God he continues to serve over 60 parishes in 21 counties, as a native Oklahoman, and as President of the Catholic Church Extension Society, a funding agency for the American home missions.

Mr. Speaker, I want to commend the administration for their strong stand in bringing peace to the Middle East and to all regions in the world.

Several weeks ago I displayed an editorial drawing showing where the seeds of peace had been planted thanks to our work in Afghanistan and in Iraq. Syria is withdrawing from Lebanon. Libya has surrendered its nuclear arms. And now as we turn our sights on Iraq and North Korea, we urge them to join other nations in surrendering these dangerous weapons.

Only through this administration have these strides and gains been made possible. Only through the firmness of this presidency have we finally stood up to terrorists worldwide and said enough is enough.

Finally, leaders of the Muslim community have stood up and rebelled against Osama bin Laden, commemorating the one-year Spanish train bombing.

Finally, people are starting to recognize freedom and peace do have a cause, they do have a price. The cost is loss of life of American personnel. But if peace comes to the world, those sacrifices would have been worth it.

SEEDS OF PEACE

(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, it is my honor to introduce our guest chaplain who so thoughtfully and graciously led us in prayer this morning.

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Finally, people are starting to recognize freedom and peace do have a cause, they do have a price. The cost is loss of life of American personnel. But if peace comes to the world, those sacrifices would have been worth it.
Mr. KUCINICH. Mr. Speaker, another $32 billion for Iraq? Some will say this is to support the troops. If the administration cared about our troops, our troops would not have been begging for body armor and armor-plated vehicles.

Some will say we must rebuild Iraq. Yet $9 billion in funds that would have helped rebuild Iraq are missing, unaccounted for. Some will say we must not cut and run, but they have no exit strategy and permanent bases are being built in Iraq.

Some will say our cause is right, holy, and we are bringing peace and freedom to Iraq. I say the war was wrong, unholy, and the administration has brought death, destruction, chaos, and disruption to Iraq.

The Bible says “that which is crooked cannot be made straight.” This war is crooked. It cannot be made straight.

Not another dime for this war and for all those who have profited from it. Not another dime. Vote no on the supplemental appropriations.

HONORING VICTIMS OF ATLANTA COURTHOUSE SHOOTINGS

(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 honor the memory of several Georgia residents who were shot and killed last week while doing their jobs at the Fulton County Courthouse in Atlanta.

Friday afternoon a gunman opened fire on the courtroom killing Superior Court Judge Rowland Barnes, Deputy Sergeant Hoyt Teasley, and Court Reporter Julie Ann Brandau. In his attempts to escape police capture, Mr. Nichols also shot and killed Federal Agent David Wilhelm. Agent David Wilhelm.

Nichols also shot and killed Federal Agent David Wilhelm.

The loss of these citizens is felt throughout the Atlanta community. While I am relieved the shooter has finally been captured, his actions leave me deeply saddened and angry.

There is no silver lining in a horrific event like this, but I hope these shootings will encourage other communities in Georgia and across this country to take a long hard look at the security measures in their own public buildings. By ensuring the safety of our public workers, David can help prevent terrible tragedies like this from ever happening again.

Mr. Speaker, I ask that you join me in mourning the deaths of these Atlanta citizens.

DO NOT SQUANDER SOCIAL SECURITY

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

Mr. HENSAARLING. Mr. Speaker, we all know that Social Security faces challenges. Fortunately there is no need to change Social Security for current and near-retirees like my parents. They can and should be able to count on 100 percent of the benefits they have earned. But due to longer life spans and fewer workers supporting each retiree, serious problems are on the horizon like my children.

Social Security faces an unfunded liability of almost $11 trillion. Unless we act today younger workers are going to face either a benefit cut of almost one-third or a 33 percent tax increase by the time they retire. This is unacceptable.

Washington is part of the problem. The Social Security Trust Fund has been raided 59 different times. Benefits have been cut half a dozen times. Payroll taxes have been raised more than 20 times. Clearly the riskiest plan for Social Security is leaving retirees’ money in Washington for government to squander.

SOCIAL SECURITY PRIVATIZATION

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

Mr. EMANUEL. Mr. Speaker, at a hearing last week the GAO Comptroller General David Walker, a former Social Security trustee, said Social Security privatization would ‘‘exacerbate the solvency problem.”

It would exacerbate the problem by eliminating the Social Security Trust Fund surplus and fail to increase the Nation’s savings rate.

In today’s economy families are taking on more and more risk. They face uncertain jobs, the loss of health care, jittery financial markets, rising costs of college education. Their retirements are less secure than ever.

Folks like the security that comes with Social Security. Rather than dismantling this guaranteed benefit that comes with Social Security. Rather than dismantling the one of the most effective retirement programs in American history, we should be working together to strengthen Social Security for future generations.

In these uncertain times we should be helping America’s families, not exacerbating Social Security’s troubles with privatization. Privatization is simply the wrong direction.

OUR MOST IMPORTANT BUDGET PRIORITY

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

Mr. WILSON. Mr. Speaker, under the leadership of President George W. Bush, the men and women of our armed forces are winning the war on terrorism. By dedicating their lives to fighting for the American people and stabilizing emerging democracies, our soldiers are protecting our country and defeating the goals of the terrorists. I am grateful for their service.

The President has submitted a supplemental budget request that will dramatically increase funding for body armor, hardened vehicles, and technology to protect our troops in the field. The supplemental also increases the maximum service member group life insurance benefits and the one-time death gratuity for combat fatalities. I strongly support the President’s request.

Providing for our troops is the most important budget priority. Congress must deliver the necessary equipment and funding to our troops to ensure they remain safe and successful in their mission. Our family appreciates firsthand Iraq service with our son, Captain Alan Wilson of the South Carolina National Guard.

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

DROUGHT RELIEF

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

Mr. LARSEN. Mr. Speaker, today I wish to bring attention to what can potentially be the worst drought season the State of Washington has experienced in nearly 3 decades.

In my district and throughout the State precipitation levels are hovering at or near record lows. Mountain snow pack levels are at 26 percent of normal averages. Many rivers and streams are flowing at levels well below normal for this time of the year. Unfortunately, it looks as though we are set to come as the National Weather Service has predicted that dry, warm weather will continue through the spring.

If these conditions persist as predicted, the drought will have a devastating impact on our State’s agriculture, fishing, and recreation industries and will increase the potential of destructive forest fires this spring and summer.

I would like to commend Washington State’s Governor Christine Gregoire for her leadership and foresight in declaring a statewide drought emergency and forming a Drought Emergency Command Center. This emergency declaration will allow the State Department of Ecology to provide assistance and relief, including the issuance of emergency water permits and the temporary transfer of water rights.

The Emergency Command Center will be able to work with State and local agencies to ensure that resources are reaching the areas that need assistance the most. Governor Gregoire has set an example of proactive leadership. I look forward to working with her and
my fellow members of the Washington State delegation to help the people of our State through this difficult time.

Mr. PITTS. Mr. Speaker, I want to read from a flyer from the Web site terrisfight.org:

"Terri Schiavo is sentenced to die of starvation by the Florida courts, however:

"Terri responds to verbal, auditory and digital stimuli.

"Terri smiles, tries to talk to her family and friends and will move her limbs on command.

"Terri is not in a coma. She is reactive and has sleeping and wakeful periods.

"Terri is not a burden. Her parents, brother and sister have offered to care for her in a safe environment and she has a fund so is not a burden to anyone, taxpayers included.

"Terri’s condition can improve with proper treatment.

"Don’t let the Florida courts starve this innocent woman to death. Terri’s time is running out."

Congress can and must act this week. We cannot allow the execution of this disabled young woman.

SECURE AMERICA’S COURTHOUSE ACT OF 2005

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, this young woman’s story, Ashley Smith, speaks of courage and valor and common sense, that she was able to direct authorities to a courthouse alleged killer, but I believe that her story speaks to an ill that is occurring throughout America, and that is the lack of security in the Nation’s courthouses.

I realize that most who come into the courthouses come for justice, whether they are prosecutor or defendant, whether they are plaintiff or defendant; but in America’s courthouses, there are challenges and difficulties, the killing of a judge’s family in Illinois, the courthouse terror that occurred in Atlanta, Georgia, and the numerous, yet unannounced, threats against courthouse personnel throughout America.

Law enforcement officers who participate in the security of those courthouses are working very hard, but I believe the plight of courthouses and justice in America cries out for congressional response, congressional hearings and congressional legislation.

So I intend to introduce the Secure America’s Courthouse Act of 2005 that will bring America’s attention to its courthouses both in terms of resources, in terms of equipment and personnel and the protection of the Nation’s judges. I ask my colleagues to join me in the Secure America’s Courthouse Act of 2005.

WASTE, FRAUD, AND ABUSE

(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, America’s checkbook is being used and abused every minute of every day, and this is more than annoying to taxpayers. It is an insult.

The problems with financial management in the bureaucracy here in Washington cost hardworking taxpayers billions of dollars. Too often, money that comes to Washington never gets back home because it’s eaten away by waste, fraud and abuse.

When the Federal Government cannot account for over $17 billion it spent in 2001, things need to change.

When the Department of Agriculture recently was unable to account for $5 billion in programs and expenditures, things need to change.

When the U.S. General Accounting Office will not certify the Federal Government’s own accounting books because the bookkeeping is so bad, things definitely need to change.

Mr. Speaker, there are countless stories about how the government has not correctly paid on everything from Medicare to food stamps, and that is just the tip of the iceberg.

As we discuss ways to reduce spending and to increase savings, let us get serious about waste, fraud, and abuse.

It is important to remember that our government of the people, for the people is paid for by the people. It is time to stop wasting the people’s money.

ASSOCIATION HEALTH PLANS

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, let us talk about association health plans. Over 60 percent of America’s uninsured are small business owners and their employees who work in a small business.

Now, if you are one of the many small business owners struggling to provide health insurance for yourself, your family and your employees, I need your help encouraging Congress to pass important legislation that would make health insurance more affordable for small businesses.

My legislation allowing the creation of association health plans would allow small business owners to band together across State lines to purchase health insurance as a group.

This week the House Committee on Education and the Workforce will vote on the Small Business Health Fairness Act of 2005; and on behalf of the 43 million Americans who want, need, and deserve access to affordable health insurance, I encourage the House to pass this soon.

Association health plans are the answer. Let us get behind them.

WELCOMING HOME HERNANDO COUNTY NATIONAL GUARD

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to share some good news about what happened in my district this past weekend.

A gentleman by the name of Fred Glass organized a welcome home to Hernando County’s National Guard unit. I was there, State elected officials were there, and local commissioners and locally elected folks were there; but most important, the citizens, family members, and businesses were there to sponsor and to welcome home the National Guard unit that was deployed for a year.

Our National Guard unit served in Iraq and Afghanistan and served with a great deal of dignity. The story was told about how at Christmas time the National Guard unit organized an ability to raise money and to give gifts to the children in Iraq and Afghanistan. Truly, this Member of Congress is very proud of the National Guard unit.

They presented me with a flag that was flown during one of their missions. It is a helicopter unit, and let me tell my colleagues that the pride that they had in their duty as National Guard members certainly was very evident.

PROVIDING FOR CONSIDERATION OF H.R. 1268, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

Mr. COLE of Oklahoma. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 151 and ask for its immediate consideration.

The Clerk reads the resolution, as follows:

H. Res. 151

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. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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 Appropriations. General debate shall be limited to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. General debate shall be limited to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. General debate shall be limited to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

Resolved, That the Committee on Appropriations shall be empow-
order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived, except for Sections 1113 and 1114. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of this report designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill, the amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as having been made on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Sec. 2. In the engrossment of H.R. 1268, the Clerk shall—
(a) add the text of H.R. 418, as passed by the House, as new matter at the end of H.R. 1268;
(b) conform the title of H.R. 1268 to reflect the addition to the engrossment of H.R. 418;
(c) assign appropriate designations to provisions within the engrossment; and
(d) conform provisions for short titles within the engrossment.

The SPEAKER pro tempore (Mr. Miller of Florida). The gentleman from Oklahoma (Mr. Cole) is recognized for 1 hour.

Mr. COLE of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 151.

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

There was no objection.

Mr. COLE of Oklahoma. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. Slaughter), 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.

Mr. Speaker, on March 14, the Committee on Rules met and granted an open rule on House Resolution 151, with 1 hour of debate equally divided between the chairman and ranking minority member of the Committee on Appropriations. This rule accords priority of recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD and provides for an emergency supplemental funding package to sustain our troops in the ongoing war on terror. Most of these funds are directed towards operations in Iraq. Just last week, I returned from Iraq where I personally received numerous briefings regarding our readiness and our operational capabilities. I heard from our commanders, military personnel, and diplomats on the ground in Iraq. My colleagues and I also had the opportunity to meet with senior and provincial Iraqi political leaders.

Their collective message was clear, compelling, and optimistic. First, things are getting better. Second, our soldiers, Marines, sailors, and airmen believe in their mission. Third, continued congressional support, both moral and financial, is absolutely essential to bring our operations to a successful conclusion. The bulk of H.R. 1268 moves us closer to that objective.

This supplemental appropriations package is the fifth supplemental since September 11 that focuses on meeting the challenges imposed on us by the ongoing global war on terrorism.

Specifically, this supplemental provides for the replenishing of those accounts that the military has exhausted during sustained operations in Iraq, Afghanistan, and other areas of the world. Additionally, it provides important funding to assist in our efforts to address the aftermath of the recent tsunami in South Asia and the Indian Ocean. Finally, there are important measures dedicated to improving the benefits due to our soldiers and meeting the diplomatic costs that our efforts have necessitated.

Important obligations are met in this legislation. Specifically, this bill provides saving $76.8 billion for total defense expenditures, a full $1.8 billion over the President’s request, funding other important military shortfalls identified by committees of the Congress. The vast majority of these dollars will directly support our service men in the area of operations. These funds are directed towards operations in Afghanistan, and other areas of the world. Among them are the inclusion of Army modularity, reform and the construction of a new American embassy in Baghdad.

This supplemental appropriations bill Congress has considered for Iraq and Afghanistan. A war and reconstruction that the administration told us could be completely financed by Iraqi oil revenues has cost the American taxpayer a staggering $275 billion, and the end is nowhere in sight. As the price of this war continues to climb, we can no longer afford to ignore the equally expansive “accountability” gap that has developed in the White House.

Harry Truman was famous for saying the buck stops here. After all, he was the President, and to him that meant he had to take responsibility for his government. He was accountable to the people he served. Today, and again our current President has demonstrated his unwillingness to be held accountable for any decision, or commitment or blunder of
his administration. And what is particularly disappointing is the willingness of the Republican leadership to assist the administration in its need to avoid accountability.

Let me give an example. The gentleman from Massachusetts (Mr. TIERNEY) came before the Committee on Rules last night, offered an amendment which would have established a select committee to follow up on a very disturbing report just released from the Inspector General's Office. The report stated that Halliburton, the contractor responsible for Iraqi reconstruction is unaccounted for and no one knows where it is.

In one case, the Inspector General raised the possibility that thousands of ghost employees were on one unnamed ministry's payroll. In another case, a firm was allegedly paid $15 million to provide security during civilian flights into Baghdad even though no planes flew during the term of the contract. In another case, a Pentagon contract for the Con Air Disposal System booth which was given to a "former Army research who had never mass-produced anything," and according to the New York Times, the researcher tried for a year to meet the order and finally was forced to give up completely.

These types of incidents squander precious resources, waste time we often do not have, and place American's lives at risk.

Mr. Speaker, we heard of another report just this morning that Halliburton has overcharged us, according to the Pentagon, by $100 million. The Tierney amendment would have established a House select committee to further investigate the allegations, much like the successful Truman Committee was established during the Second World War. The Committee on Rules Democrats tried to get the amendment made in order because we expect accountability from our government. But we were voted down on a party-line vote. Why?

No one can reasonably suggest that this body does not have time to get to the bottom of these unresolved issues. After all, we spend on average only 2 days a week in this Chamber, and half the time we do spend here we are renaming Post Offices and honoring foreign dignitaries, and a few athletic endeavors.

If we have enough time for that, we certainly have enough time to track down $9 billion that the administration seems to have misplaced. We have the time and energy to address rampant corruption in the way our contracts in Iraq are being administered. Certainly we have the will to infuse some accountability into the process, but apparently the leadership does not have the time or the will and truly demonstrates the hypocrisy of those in the majority who say they are for saving taxpayer money, except when it is being wasted on their administration. But it raises a more important question, and that is if we in this body will not hold the White House accountable for losing $9 billion, then who will? If it is not our job in this Chamber, then whose is it?

There is another disturbing aspect to the lack of accountability in Iraq contracting. The administration was supposed to issue two reports detailing spending on both military operations and reconstruction activities in Iraq. That was done by law, one of the reports due on October 31, 2004, the other due January 1, 2005. Neither report has ever been delivered. Mr. Speaker, the Department of Defense has a legal obligation to provide the reports to Congress and they are breaking the law by not providing them. The majority in this body is breaking its bond of trust with the American people by not demanding these reports, and with them a measure of accountability for their administration.

The American people expect the leadership of this Congress to be more than a rubber stamp for an administration that has shown itself to be secretive and dishonest time and time again. We have a responsibility to our fellow Americans, and I urge all to ensure that all branches of the government are held accountable to the American people.

And speaking of accountability, this supplemental increases the military death gratuity from $12,000 to $100,000 and subsidized life insurance benefits from $250,000 to $400,000 for families of soldiers who died or were killed on active duty from October 7, 2001. This is crucial which does two important things for our fighting men and women: Expands their life insurance and increases their death benefits. But what happened, these benefits, which will be legislating on an appropriation bill, require protection from the Committee on Rules against a point of order on the floor of the House. Sadly, the leadership refused to grant that protection in this rule, and those two measures are left open to a point of order. Therefore, any single Member of this body can stand up and knock out those provisions without any debate, without any vote, without any opportunity for dissent. This was no accident. Clearly the rule was written this way by design because we had to wait to get the rule after they completed those negotiations.

And why are the benefits of our fighting men and women not worthy of protection? The sad truth is these men and women have the courage to protect us with their lives, and yet some in this Chamber do not have the courage to protect them with even a vote on the House floor. The Republican leadership has reverted to setting up a point of order to ensure the benefit increases never make it into law because they do not have the courage to vote it down themselves and they do not want to be accountable for the vote.

The bill also includes funding for body armor, armored Humvees, electronic jammers and other necessary items to protect our troops which are long overdue. But as we listen to Member after Member rising to pay homage to the sacrifice of our fighting forces, I want my fellow Americans to remember who was willing to sacrifice those men and women on the House floor today.

I also want them to remember two very important amendments which were not made in order by the Committee on Rules. The amendments by the gentlewoman from Oregon (Ms. HOOLEY) and the gentleman from Connecticut (Ms. DeLAURO) would have expanded veterans' health care and mental health care, but they were not included in the bill.

Mr. Speaker, that is why at the conclusion of the debate I will ask Members to defeat the previous question to the rule so we can get a vote on the Hooley and DeLauro amendments and so we can move to protect the language in the supplemental to protect the benefits for our military personnel.

Our soldiers, sailors, airmen and Marines are over in Iraq today risking their lives to protect America and the world. The least we can do is provide them with decent health care when they return. Once we vote, our fellow Americans will know exactly where we all stand on health care for our veterans despite the rhetoric and legislative tricks, and that is what I like to call held accountable.

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

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

Mr. Speaker, just for an informational point, the gentlewoman from New York (Ms. SLAUGHTER) makes an excellent point about sections 1113 and 1114. I want to inform the gentlewoman that at the conclusion I will be offering a amendment to protect those sections from points of order.

Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE). Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise to support including the REAL ID Act in the supplemental spending bill on the floor today.

As we saw post-9/11, Congress must protect our Nation's borders against the threat of terrorism. Just last week, my district saw the unfortunate consequence of illegal immigration, Social Security fraud and potential terrorist threats meeting together.

In my hometown of Crystal River, Florida, the nuclear power plant was found to have contracted with illegal immigrant day laborers through a contract who had used fake or stolen ID and Social Security numbers to obtain government-issued driver's licenses. Thankfully, these men have been arrested by the FBI and have been interviewed by Customs enforcement agents.

Who is to say that the seemingly harmless workers could not have really
been agents of a terrorist group that is intent on blowing up or hijacking a nuclear power plant? As we saw with flight schools before 9/11, it is often the little things that are overlooked in our constant fight against terrorism that lead to such problems.

As President Bush has said time and time again, we have to be right hundreds of times each and every day in our fight against terrorism, and they only have to be right once. I vote against the 9/11 Intelligence Reform Bill primarily because it omitted the ID standard reforms that the 9/11 Commission called for and that America needed. Had the REAL ID Act been in place, the Department of Motor Vehicles would have been required to verify the Social Security numbers used by these workers. This check would have shown that the numbers were really issued to men that had been deceased for 40 years and would have disallowed the men from gaining access to a supposedly secure nuclear power facility.

I would hate to see a future terrorist attack that Congress could have prevented by our accounting for our soldier's driver's licenses. We need the Senate to pass the REAL ID bill, and I am delighted it was added onto this supplemental budget.

Mr. Speaker, I urge my colleagues to support these much-needed reforms and to vote in favor of the REAL ID Act included in the supplemental bill.

Ms. SLAUGHTER: Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. McGovern), a member of the Committee on Rules.

Mr. MURTHA. Mr. Speaker, I wish to commend the chairman of the Committee on Appropriations, the gentleman from California (Mr. LEWIS); the ranking member, the gentleman from Wisconsin (Mr. ONLEY); and the chairman and ranking member of the Subcommittee on Defense, the gentleman from Florida (Mr. YOUNG) and the gentleman from Pennsylvania (Mr. McGURK). They have written a bill that seeks to address the needs of our troops and provide needed reconstruction funds to Iraq, Afghanistan and those nations devastated by the recent tsunami.

I know the gentleman from Pennsylvania (Mr. MURTHA) took special care in ensuring that this bill contains adequate vehicle and personal protection for our troops in Iraq, and to make sure that our military will be adequately equipped and supplied for upcoming troop rotations in Iraq.

It is, therefore, difficult for me to rise and declare my opposition to this bill. My opposition is not meant as an affront to the hard work and courage for the safety of our troops. Every single Member of this House, including myself, shares their concerns and their commitment to the safety and well-being of our men and women in uniform. But right now, we are seeing so many examples under such difficult circumstances, nor do I object to the foreign aid of this bill.

So why do I rise in opposition? It is quite simple. Once this supplemental is signed into law, Congress will have provided this administration with nearly $300 billion for military and reconstruction efforts in Iraq and Afghanistan. Two years after we invaded Iraq, the Department of Defense has spent these moneys under emergency authority. Tomorrow we are going to debate the President's budget. There are no funds in his budget or the Republican budget resolution for the continuing war in Iraq or occupation in Afghanistan. Why not? Is the President telling us that all our troops are coming home next year, or is he just saying that we can look forward to year after year of so-called emergency bills totaling hundreds of billions of dollars because his administration has no idea how long we are going to be engaged in Iraq and how much it is going to cost the American people in blood and treasure.

I believe Congress must know the answers to these questions before we vote more money for this war. These funds should be in the budget, and the cost of these wars should be projected over the next 5 years just like every item in the budget. We know we are in Iraq. It is not a surprise, not an unforeseen emergency. The President has told us we are going to be there next year, so why is there no money for these operations in the budget? How much do they project these wars will cost? How do they propose we pay for it? Eligible companies to pay for the war, nearly $300 billion worth. We do not pay for it, we simply go deeper and deeper into debt and pass the bill on to our children.

Mr. Speaker, this is a profound failure of accountability, the failure to level with the American people.

This week when Congress debates the budget resolution we will be asked to vote for a bill which cuts education, cuts health care, cuts veterans benefits, economic development for our cities and towns, and many other critical projects. But the war, it is not part of the budget or subject to cuts or reconciliation. It is all off the books.

From the very first day when we were told the U.S. had to invade Iraq we have been lied to. We were lied to about the weapons of mass destruction. We were lied to about Saddam Hussein having ties to al Qaeda. We were lied to about how much the war would cost and how long it would take to bring stability to Iraq.

We are here today debating a bill that is filled with armored Humvees and personal body armor for our troops. It is supposed to keep us safe, it is supposed to provide us money for those items in 2002 before we went to war in Iraq, and we provided it again in the first supplemental on Iraq and in the second supplemental on Iraq and in the third supplemental on Iraq. So why are so many of our troops still driving unprotected vehicles? Congress sent that money specifically to meet those needs. So what happened to the money? Why were those needs not met? That is a deadly serious question of accountability.

The Pentagon's own inspector general says that nearly $9 billion in reconstruction funds for Iraq cannot be accounted for. Another $15 million may have been subject to fraud by the very companies the Pentagon chooses to give contracts to for services in Iraq. That is taxpayer money provided by my constituents.

Mr. Speaker, we need to have a real debate about our policy in Iraq. Every few months we get an emergency supplemental for the war on Iraq. We are told we have to vote for it in order to show our support for our troops, and I expect that this bill will probably pass overwhelmingly. But it is just more of the same.

There comes a time when you just have to stop and say no more, not until we get real answers to hard questions, not until we know where we are going in Iraq and how much it is going to cost.

Mr. Speaker, I oppose this bill; and I urge my colleagues to oppose it.

Mr. COLE of Oklahoma. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman for yielding me the time. And, Mr. Speaker, I rise in strong support of this rule. Last October, 282 Members of Congress voted for landmark legislation that fulfilled our duty to our constituents to make America an appreciably safer place. H.R. 10 truly reflected the hard-earned lesson of 9/11.

Unfortunately, the other body saw fit to strip from the bill some of its most vital provisions, measures designed to ensure that terrorists would never again be able to carry out their nefarious plots by abusing our immigration system and our identity documents.

Today, leadership is fulfilling a commitment that it made to the American people that these provisions would yet become law. Today's rule makes the text of H.R. 418, the REAL ID Act, a self-executing amendment to the Emergency Wartime Supplemental Appropriations Act.

The gentleman from Wisconsin (Chairman SENSENIBRENNER) introduced the House last month passed, the REAL ID Act containing many of the provisions stripped from the intelligence reform bill last year. I thank the gentleman from Illinois (Mr. HASTERT), the gentleman from Texas (Mr. DELAY), the gentleman from Missouri (Mr. BLUNT), and the gentleman from California (Mr. DREIER) for ensuring that the will of this House will be done, and that this crucial legislation will be enacted into law.

The goal of the REAL ID Act is straightforward. It seeks to prevent another catastrophic terrorist act by deterring terrorist travel. These terrorist methods of operation were mentioned
both in the 9/11 Commission report and the 9/11 staff report on terrorist travel. Page 49 of the terrorist travel report states: “Abuse of the immigration system and a lack of interior enforcement were unwittingly working together to support terrorist activities.” Page 59 states: “The real Qaeda was not the only valued freedom of movement as critical to their ability to plan and carry out the attacks prior to September 11.”

The REAL ID Act contains four provisions aimed at disrupting terrorist states. It addresses the use of a driver’s license as a form of Federal identification. American citizens have the right to know who is in their country, that people are who they say they are, and that the name on the driver’s license is the real holder’s name, not some alias.

The REAL ID Act will establish a uniform rule for all States that temporary driver’s licenses for foreign visitors expire when their visa terms expire. We will establish tough rules for confirming identity before a driver’s licenses are issued.

Second, this legislation will tighten our asylum system. Some judges have made asylum laws vulnerable to fraud and abuse. We will establish tough presumptions that benefit suspected terrorists so that we will stop providing them a safe haven.

The REAL ID Act will reduce the opportunity for immigration fraud so that we can protect honest asylum seekers and stop rewarding the terrorists and criminals who falsely claim persecution.

Third, the REAL ID Act will waive Federal laws to the extent necessary to complete gaps in the San Diego border security fence which is still unfinished 8 years after congressional authorization.

The REAL ID Act contains one final commonsense provision that helps protect citizens from terrorists who have been able to successfully infiltrate the United States: currently, certain terrorism-related grounds of inadmissibility to our country are not also grounds for deportation. The REAL ID Act makes aliens deportable from the U.S. for terrorism-related offenses to the same extent that they would be inadmissible to the United States to begin with.

Mr. Speaker, I urge my colleagues to support this rule.

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. I thank the gentlewoman for yielding me the time. Mr. Speaker, there are a number of things that can be said about this bill. Let me simply say that I opposed going to war in the first place. I think this country was misled into war on the basis of bad information and false information. And I believe some of that was purposeful.

I think the attack on Iraq was the dumbest American war since the War of 1812. But nonetheless, that is past history. We now have the question of whether or not we are going to pay for the war which we have waged. And at this point, I do not believe we have any choice.

What I do wish is that the administration would be forthcoming about the full cost of the war, because you can not just as surely as you sit here today that the administration will be back for even more money to cover the costs which are allegedly being provided for under this bill today. I think the administration is giving us the same story about the war as they did on the bipartisan budget committee and installment plan. And by the time the full truth comes out, the costs will be much higher than this bill implies today.

I also believe that it is dead wrong for this Congress to decline to appoint a Truman-like committee to investigate profiteering and fraud by contractors in Iraq.

Just the story today about Halliburton in The Washington Post ought to be enough to prod this Congress into setting up a meaningful investigative committee. As has been pointed out, Harry Truman, when he was in the Senate, conducted almost 400 hearings and issued over 50 reports on war profiteering during World War II. Then was a Democratic Congress investigating a Democratic administration and it did no harm to the country. I hope that today this House will still agree to appoint that kind of a committee.

Having said that, I think there is a far more important issue which is associated with this bill. Mr. Speaker, as we know, some of what appears in the newspaper can be right and some can be wrong, but there have been a number of stories which have appeared in the newspaper about the activities of the Defense Department which I find highly disturbing. I quote from one story Sunday, January 23, Washington Post: ‘The Pentagon expanding into the Drug Enforcement Agency during World War II. That was a Democratic Congress investigating a Democratic administration and it did no harm to the country. I hope that today this House will still agree to appoint that kind of a committee.

Having said that, I think there is a far more important issue which is associated with this bill. Mr. Speaker, as we know, some of what appears in the newspaper can be right and some can be wrong, but there have been a number of stories which have appeared in the newspaper about the activities of the Defense Department which I find highly disturbing. I quote from one story Sunday, January 23, Washington Post: ‘The Pentagon expanding into the Drug Enforcement Agency during World War II. That was a Democratic Congress investigating a Democratic administration and it did no harm to the country. I hope that today this House will still agree to appoint that kind of a committee.

I yield myself such time as I may consume.

Mr. Speaker, I think that the Congress has a right to demand that we be told about it. I had originally intended to offer an amendment today which would have fenced and prohibited the expenditure of the intelligence funds in this bill until we get from the administration an understanding about how we are going to be informed on these matters. And I do not mean after the fact.

I had intended to offer that amendment but yesterday I received a call from Andy Card, the President’s chief of staff, who asked me to at least temporarily withhold offering that amendment, and he gave me his commitment that the administration was going to work with the committee to see to it that the leaders of the Intelligence Committee, the Armed Services Committee, and the Appropriations Committee are given the adequate information that they need to make choices around here.

I told him that I would be willing to withhold that amendment on this bill with the understanding that if we have not got this worked out very quickly, that we will have an opportunity to deal with this issue on the next regular vehicle moving these funds which would be either the armed services bill or the defense appropriations bill.

This, in my view, is the most important issue associated with this bill, and I intend to be back here with just such an amendment if we do not get the kind of reporting from the administration that we have a right to expect under the Constitution.

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

Let me just make a couple of quick points. I was not in Congress when the decision, on a bipartisan basis, was made to give the President the authority to commence hostilities in Iraq, but I do think it was the right decision, and I do think that it has been vindicated frankly by things that have happened recently not only in Iraq but throughout the Middle East.

Regardless of that, I think my friend makes a good point, and I appreciate his support for this particular piece of legislation. I know it is very difficult. But the real question here is not the
Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DeLAURO).

Ms. DeLAURO. Mr. Speaker, I rise in opposition to the rule, but because it is important that we get our troops in the field the equipment they need. I will support the supplemental legislation that also includes desperately needed aid to Sudan and the victims of the tsunami and provides economic development funding for projects in Palestinian controlled areas of the West Bank.

Yet I remain concerned that the legislation provides no funding for immediate mental health needs of our troops. The House is not even giving a chance to consider an amendment that I wanted to offer that would have added $263 million in DOD and VA funding for this issue. This at a time when the Army tells us that as many as one in six returning soldiers suffer from symptoms of post-traumatic stress disorder. If members are classified as an emergency, then I do not know what is.

Providing badly needed funding for the Defense Department to improve its training programs for military families on the detection of mental health problems. In particular, returning soldiers who are on the move from combat is an issue this committee agreed the Defense Department should consider in the 2005 Defense appropriations bill. As such, this amendment would have increased by 20 percent our spending on specialized PTSD programs within the DOD, within the Veterans Administration, and go to treating the symptoms of PTSD such as substance abuse and homelessness. It would have embraced new technology in the Veterans Administration, promoted the use of private sector mental health professionals and students to be able to reach more troops and their families, especially in rural and underserved areas.

More than 500 soldiers have been evacuated from Iraq for mental health reasons since the beginning of Operation Iraqi Freedom. We know the damage PTSD can do away from the battlefield, ruining families, causing alcoholism, drug abuse, and homelessness. Our men and women in uniform deserve a better homecoming than that.

Let us do the right thing for our troops, address this issue soon, and give our soldiers the mental health services that they have earned. Let me assure you that the COLE of Oklahoma. Mr. Speaker, I yield the balance of my time.

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

I will be asking Members to join with me in voting “no” on the previous question so that I can modify the rule and allow the House to consider two very critical amendments for our Nation’s combat soldiers that were rejected last night in the Committee on Rules. The first amendment by the gentlewoman from Oregon (Ms. HOOLEY) will help our Iraq and Afghan-istans veterans in two important ways: First, it will provide an additional $1.2 billion for veterans’ health care. Additionally, it will provide $100 million for reintegration services for the Army and National Guard members being released from active duty and returning to civilian life.

The second amendment by the gentlewoman from Connecticut (Ms. DeLAURO) would expand mental health care by providing $238 million to the VA for a post-deployment mental health initiative and $5 million for the Defense Department to contract with private mental health providers for counseling the returning service members.

Mr. Speaker, I want to emphasize that a “yes” vote will prevent us from voting to help our veterans in these very important areas.

Mr. Speaker, I ask unanimous consent that the text of the amendments be printed in the Record immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. MILLER of Florida). Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

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

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

Mr. Speaker, I would like to take a few moments just to go through some of the specific provisions of this particular legislation because I think the vote that we are getting ready to cast is exceptionally important.

Mr. Speaker, in terms of the defense portion of this particular appropriation, it includes a total of $76.8 billion for total defense expenditures. That is again $1.8 billion over what the administration requested. The additions over the request are in support of deployed and soon to be deployed or returning troops and to assist in force protection and to increase the survivability of troops in the field.

Within the total Defense fund, $3.1 billion is provided for activities under the jurisdiction of the Military Quality of Life and Veterans Affairs, and Related Agencies Subcommittee. The following table summarizes, which I will submit for the Record, the committee’s addition to the request within the Defense Subcommittee.

So we have an extensive addition that I think actually improves the administration’s original request. In addition to the Defense expenditures, we have included other moneys for foreign operations. The committee has added $1.7 billion in net foreign assistance funds within the Foreign Operations.
Mr. Speaker, I yield 8 minutes to the distinguished gentleman from California (Mr. Dreier), chairman of the Committee on Rules.

Mr. Dreier. Mr. Speaker, I rise in strong support of this rule, and I want to begin by congratulating the gentleman from Oklahoma (Mr. Cole), who has worked long and hard on this and has made four trips to Iraq and understands extraordinarily well how critically important it is for us to ensure that we get the resources necessary for our men and women in uniform there.

We have many important things that need to be done in this measure. The gentleman from Oklahoma (Mr. Cole) talked in his opening remarks about the need for us to ensure the completion of our compound. It is not just an embassy, our compound, in Baghdad. I am one who would be very critical of a government, as did the gentleman from California (Mr. Cunningham) and our former colleague, Doug Ose, who worked hard on this issue over the past several years.

Back in 1997, with the support of President Clinton, we passed legislation that was designed to build this 14-mile fence, and it is an amazing commentary that it took a shorter period of time for the Second World War than it has to complete this 14-mile fence. I believe that with passage of this very, very important rule and the legislation itself, we will be able to deal with that.

Mr. Speaker, we have done a number of very important things in this measure, aid and support for our efforts in Iraq, and we have enjoyed resounding success. Is it still a "tough slog," as the Secretary of Defense said? Absolutely. No one ever claimed that war is easy. But we are enjoying success now, as we see the people of Iraq, 8.5 million strong, casting their ballots; as we see their great appreciation for the U.S. support there; as we see this realization within the law that it is not the United States Government, the leadership in Iraq or the 275 Members of the Transitional National Assembly. So we are in position right now when we are doing the right thing with passage of this legislation. It is absolutely essential.

Amendment Offered by Mr. Cole of Oklahoma

Mr. Cole of Oklahoma. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Cole of Oklahoma
On page 2, line 9-10, strike “. except for Sections 1113 and 1114”.

Mr. COLE of Oklahoma. Mr. Speaker, this amendment intends to protect sections 1113 and 1114 against points of order. The Committee on Rules last night exposed these provisions, the request of the chairman of the Committee on Veterans’ Affairs, who has since asked the Committee on Rules to protect the provisions.

The amendment is necessary to protect the important Military Death Gravemarker Act of 2005 as amended by Public Law 108-447, and the amendment is necessary to protect the provision for the care and support of surviving family members of military personnel who were killed in service.

Mr. Speaker, I urge my colleagues to support this particular amendment to the resolution.

Mr. Speaker, in closing, I would like to say that I believe we have had an excellent debate on the rule. What is clear to me is the importance and timeliness of this legislation. With that said, I would again encourage Members to listen carefully to the following debate and to support the underlying legislation.

Additionally, I would encourage Members to be cautious when it comes to considering the amendments. This bill has been carefully crafted and worked out in a way to ensure that our service members receive the best equipment when they go forward into war.

Finally, I would ask the Members to remember that this is not a vote about the wisdom of the war in Iraq. The President and the Congress made that decision years ago. This vote is about how we take care of those we have asked to execute the will of our country.

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

This rule adds to the Emergency Supplemental Appropriations legislative language by Rep. SENSIBRENNER that is completely unrelated to the Supplemental and will allow millions of people to drive our streets and freeways without insurance or a driver’s license.

Yes, we are speaking about undocumented immigrants living in our communities and who are here illegally. But, do we somehow think that denying these people the ability to legally drive is going to force them back to their home countries?

That’s ridiculous. Do we want millions of unsafe, untrained drivers on our streets with no insurance?

This provision does nothing to make America safer.

It is simply anti-immigrant legislation disguised as homeland security.

No one doubts that our immigration system is broken and needs to be fixed. The Sensenbrenner provision is not the solution to our immigration problems and does not make our country safer.

The Emergency Supplemental Appropriations bill is for funding our men and women in uniform overseas, not for controversial anti-immigrant agendas.

Our men and women in uniform are risking their lives for our country, and need our financial support. They need armored personnel carriers, bulletproof vests, and the tools necessary to do their job as safely as possible.

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the amendment or on final passage.

The vote was taken by electronic device, and there were—yeas 220, nays 195, not voting 19, as follows:

[Roll No. 69]

YEAS—220

Aderholt
Alexander
Alexandria
Bachus
Baker
Barrett (SC)
Barrett (MD)
Bass
Beauprez
Bezzi
Blair
Boehner
Boloni
Bono
Bosco
Boos
Bradley (NY)
Brahim (NH)
Brown (SC)
Brown-Waite
Burr
Burton (IN)
Byrne
Calvert
Camp
Cannon
Cantor
Capito
Carper
Castle
Chabot
Cheocha
Coble
Cole (OK)
Collins
Cox
Crenshaw
Cubin
Cunningham
Daines (VT)
Davies, Tom
Davies, Tom (GA)
DeLaughter
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson

NAYs—195

Alexander
Alexander
Biggert
Bilous
Billings
Bosco
Boos
Bradley (NY)
Brahim (NH)
Brown (SC)
Brown-Waite
Burr
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Carper
Castle
Chabot
Cheocha
Coble
Cole (OK)
Collins
Cox
Crenshaw
Cubin
Cunningham
Daines (VT)
Davies, Tom
Davies, Tom (GA)
DeLaughter
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Ehlers
Emerson

No votes.

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

The SPEAKER pro tempore. (Mr. FOLEY.) 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, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The Sergeant at Arms will notify absent Members.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the amendment or on final passage.

The vote was taken by electronic device, and there were—yeas 220, nays 195, not voting 19, as follows:

[Roll No. 69]
Messrs. DAVIS of Tennessee, GORDON, VISCOSLY, PETERSON of Minnesota, AL GREEN of Texas, CLEAVER and CRAMER and Mrs. NAPOLITANO changed their vote from "yea" to "nay." Mr. LEFKOWITZ of Kentucky changed his vote from "nay" to "aye.

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SMITH of North Carolina). The question is on the amendment offered by the gentleman from Oklahoma (Mr. COLE).

The amendment was agreed to.

The SPEAKER pro tempore. The motion to reconsider is pending.

Mr. ROGERS of Michigan. Mr. Speaker, on the advice of the retiring Chairman of the Committee, he has offered the following resolution: The Committee on Standards of Official Conduct shall conduct its investigative duties, all of which have been made on a bipartisan basis by an overwhelming bi-partisan task force with equal representation of the majority and minority parties to make recommendations to restore public confidence in the ethics process; and be it further resolved, that the task force report its findings and recommendations to the House of Representatives no later than May 2, 2005.

Ms. PELOSI. Mr. Speaker, pursuant to rule IX, I rise to a question of the privileges of the House, offer a privileged resolution that I noticed, and ask that it be laid on the table.

Mr. LEWIS of California. Mr. Speaker, on the motion to lay on the table offered by the gentleman from California (Mr. LEWIS).

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

Whereas, in 1968, in compliance with this authority and to uphold its integrity and ensure that Members act in a manner that reflects credit on the House of Representatives, the Committee on Standards of Official Conduct was established;

Whereas, the ethics procedures in effect during the 108th Congress, and in the three preceding Congresses, were enacted in 1995 in a bipartisan manner by an overwhelming vote of the House of Representatives upon the bipartisan recommendation of the ten-member Ethics Reform Task Force, which conducted a thorough and lengthy review of the entire ethics process;

Whereas, in the 109th Congress, for the first time in the history of the House of Representatives, decisions affecting the ethics process have been made by a partisan basis without consulting the Democratic Members of the Committee of or the House;

Whereas, the Chairman of the Committee, and two of his Republican colleagues, were dismissed from the Committee;

Whereas, in a statement to the press, the departing Chairman of the Committee stated “[t]here is a bad perception out there that there was a purge in the Committee and that people were put in that would protect our colleagues” and a deposed Republican Member, also in a statement to the press, referring to his dismissal from the Committee, noted his belief that “the decision was a direct result of our work in the last session;”

Whereas, the newly appointed Chairman of the Committee improperly and unilaterally fired non-partisan Committee staff and improperly assisted in the ethics work in the last session;

Whereas, these actions have subjected the Committee to public ridicule, produced consumer detriment for the public trust, created the public perception that their purpose was to protect a Member of the House, and weakened the ability of the Committee to adequately obtain information and properly conduct its investigative duties, all of which has brought discredit to the House; now be it

Resolved, that the Speaker shall appoint a bipartisan task force with equal representation of the majority and minority parties to make recommendations to restore public confidence in the ethics process; and be it further

Resolved, that the task force report its findings and recommendations to the House of Representatives no later than May 2, 2005.

Ms. PELOSI. Mr. Speaker, I demand a recorded vote.

The vote was taken by electronic device, and there were—ayes 223, noes 194, not voting 17, as follows:

[Roll No 70] AYES—223

Mr. LEWIS of California. Mr. Speaker, it is with great reluctance, not only because we are working with the minority leader of the House, but because the gentlewoman from California, that I must move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to lay on the table offered by the gentleman from California (Mr. LEWIS).

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

RE记ED VOTE

Ms. PELOSI, Mr. Speaker, I demand a recorded vote.

The vote was taken by electronic device, and there were—ayes 223, noes 194, not voting 17, as follows:

[Roll No 70] AYES—223


VOTES—19

Announcement by the Speaker pro Tempore

The SPEAKER pro tempore (Mr. FOLEY). (During the vote). Members are advised that there are 2 minutes remaining.

ANNOUNCEMENT by the SPEAKER pro TEMPORE

The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised that there are 2 minutes remaining.
**EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005**

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to House Resolution 151 and rule XVIII, the Chair declares the vote in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1268.

![1217](image)

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. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill. The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. LEWIS). Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is with great pride that I bring before the House H.R. 1268, a bill making emergency supplemental appropriations for fiscal year 2005. This is my first appropriations measure as the new Appropriations Committee Chairman. I am especially proud of the extraordinary effort put forth by the committee’s members and staff to report a bill that will better permit our troops to prosecute the war on terrorism and will do so with a price tag less than that requested by the President.

Mr. Chairman, I would like to have the House pay special attention to three of my colleagues who have come back from the private sector to help serve this committee, Frank Cushing is my staff director, and Jeff Shockey are my deputy staff directors for the Committee. I truly appreciate their willingness to make great sacrifice to come back.

Six of the committee’s 10 subcommittees participated in the development of this measure which provides $227 billion in urgent and emergency spending. The lion’s share of that amount, some $76.8 billion, is for defense-related expenditures. This funding represents an increase for defense needs of $1.9 billion above the President’s request, in which I hasten to note is entirely for enhanced support for deployed, soon-to-be deployed, or returning troops in order to assist in force protection and to increase the survivability of the troops in the field.

To provide these important resources for our troops, we reduced other, non-essential DOD requests by some $600 million.
million as well as nearly $1 billion in foreign assistance-related programs that were either not well justified or did not meet the strict definition we applied for emergency spending. In addition, another $1 billion of extremely important and time-sensitive non-emergency foreign assistance approved by the committee was completely offset by a rescission of funds originally appropriated in fiscal year 2003.

With my colleagues’ indulgence, I would like to take a few moments to give the House a flavor of the urgent procurement needs that the committee has included in the measure for our troops. Those include up-armored Humvees and other new Humvees, medium and heavy trucks, night vision devices, handheld stand-off mine detection systems, jammers, improved high-frequency radios, Strykers to replace combat losses, small-arms modifications and ammunition, body armor for both the Army and Marine Corps, and medical supplies.

In addition to our providing these necessary resources for our troops, the committee was compelled to fully fund the Army’s modularity program at this time because of the urgency to address the significant challenges the Army now faces in mitigating stress on the current active duty combat force. To meet this problem, the Army will not only create 10 additional combat brigades; all of the current combat brigades will be redesigned to enhance their ability to deploy more rapidly and operate more independently on the battlefield. I might add that our determination to procure additional equipment beyond the President’s request will allow forthcoming troop rotations to receive much of their equipment prior to deployment, clearly an obvious benefit to the success of our troops.

Beyond the requirements of our defense community, the bill provides $666 million to meet the human needs resulting from last December’s horrific tsunami. In addition, the bill includes $592 million for the construction of the U.S. embassy compound in Baghdad. While that money for the embassy is a reduction of some $66 million, or 10 percent, from the President’s request, construction of the embassy compound has been deemed urgent because of the imminent security threats to some 4,000 U.S. personnel in Iraq. Thus far, 45 personnel with the U.S. mission in Iraq have been killed, including two American citizens who were killed by a rocket attack on our diplomatic compound the day of the Iraqi elections. Providing the funds now will greatly reduce the amount of time our personnel remain in harm’s way.

Despite the additional needs we have recommended on behalf of our troops, the committee’s bill is $614 million less than that requested by the President. This reduction comes largely as a result of reductions in proposed foreign assistance spending.

Mr. Chairman, I believe this measure is responsible both in how we have responded to the needs to provide for adequate resources in making this fight against terrorism and also in how we have carefully scrubbed each and every program so that we can say with utmost assurance that this is a fiscally sound piece of legislation.

Mr. Chairman, as I close my remarks, I wish to express my deep appreciation for my ranking member from Wisconsin (Mr. OBEY), as well as to each and every member of the committee. I have already expressed my feelings about our staff on both sides of the aisle. All of them have worked so diligently to prepare effectively this legislation.

Mr. Chairman, as I mentioned at the outset, I am very proud of this measure I bring to you, my first measure as chairman of the Committee on Appropriations. I certainly urge the Members to adopt this bill.
Emergency Supplemental Appropriations Act for Defense - the Global War on Terror - and Tsunami Relief - 2005 (H.R.1268)  
(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

### EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR IRAQ, AFGHANISTAN, TSUNAMI, 2005

#### TITLE I - DEFENSE-RELATED APPROPRIATIONS

##### CHAPTER 1

**DEPARTMENT OF DEFENSE**

**Military Personnel**

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Military Personnel, Army (emergency)</td>
<td>11,756,842</td>
<td>11,779,642</td>
<td>+22,800</td>
</tr>
<tr>
<td>Military Personnel, Navy (emergency)</td>
<td>524,980</td>
<td>534,080</td>
<td>+9,100</td>
</tr>
<tr>
<td>Military Personnel, Marine Corps (emergency)</td>
<td>1,246,126</td>
<td>1,251,726</td>
<td>+5,600</td>
</tr>
<tr>
<td>Military Personnel, Air Force (emergency)</td>
<td>1,316,572</td>
<td>1,473,472</td>
<td>+156,900</td>
</tr>
<tr>
<td>Reserve Personnel, Army (emergency)</td>
<td>39,627</td>
<td>40,327</td>
<td>+700</td>
</tr>
<tr>
<td>Reserve Personnel, Navy (emergency)</td>
<td>9,411</td>
<td>11,111</td>
<td>+1,700</td>
</tr>
<tr>
<td>Reserve Personnel, Marine Corps (emergency)</td>
<td>4,015</td>
<td>4,115</td>
<td>+100</td>
</tr>
<tr>
<td>Reserve Personnel, Air Force (emergency)</td>
<td>130</td>
<td>130</td>
<td>---</td>
</tr>
<tr>
<td>National Guard Personnel, Army (emergency)</td>
<td>429,200</td>
<td>430,300</td>
<td>+1,100</td>
</tr>
<tr>
<td>National Guard Personnel, Air Force (emergency)</td>
<td>91</td>
<td>91</td>
<td>---</td>
</tr>
</tbody>
</table>

**Subtotal, Military personnel**

15,326,994  
15,524,994  
+198,000

##### Operation and Maintenance

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation and Maintenance, Army (emergency)</td>
<td>17,201,004</td>
<td>17,366,004</td>
<td>+165,000</td>
</tr>
<tr>
<td>Operation and Maintenance, Navy (emergency)</td>
<td>3,423,501</td>
<td>3,030,801</td>
<td>-392,700</td>
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<tr>
<td>Operation and Maintenance, Marine Corps (emergency)</td>
<td>970,464</td>
<td>982,464</td>
<td>+12,000</td>
</tr>
<tr>
<td>Operation and Maintenance, Air Force (emergency)</td>
<td>5,601,510</td>
<td>5,769,450</td>
<td>+167,940</td>
</tr>
<tr>
<td>Operation and Maintenance, Defense-Wide (emergency)</td>
<td>3,521,327</td>
<td>3,061,300</td>
<td>-460,027</td>
</tr>
<tr>
<td>Operation and Maintenance, Army Reserve (emergency)</td>
<td>8,154</td>
<td>8,154</td>
<td>---</td>
</tr>
<tr>
<td>Operation and Maintenance, Navy Reserve (emergency)</td>
<td>75,164</td>
<td>75,164</td>
<td>---</td>
</tr>
<tr>
<td>Operation and Maintenance, Marine Corps Reserve (emergency)</td>
<td>24,920</td>
<td>24,920</td>
<td>---</td>
</tr>
<tr>
<td>Operation and Maintenance, Army National Guard (emergency)</td>
<td>188,779</td>
<td>188,779</td>
<td>---</td>
</tr>
<tr>
<td>Overseas Humanitarian, Disaster, and Civic Aid (emergency)</td>
<td>10,000</td>
<td>10,000</td>
<td>---</td>
</tr>
<tr>
<td>Afghanistan Security Forces Fund (emergency)</td>
<td>1,285,000</td>
<td>1,285,000</td>
<td>---</td>
</tr>
<tr>
<td>Iraq Security Forces Fund (emergency)</td>
<td>5,700,000</td>
<td>5,700,000</td>
<td>---</td>
</tr>
</tbody>
</table>

**Subtotal, Operation and maintenance**

38,009,823  
37,502,036  
-507,787

##### Procurement

<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aircraft Procurement, Army (emergency)</td>
<td>458,677</td>
<td>458,677</td>
<td>---</td>
</tr>
<tr>
<td>Missile Procurement, Army (emergency)</td>
<td>294,036</td>
<td>340,536</td>
<td>+46,500</td>
</tr>
<tr>
<td>Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)</td>
<td>2,425,207</td>
<td>2,678,747</td>
<td>+253,540</td>
</tr>
<tr>
<td>Procurement of Ammunition, Army (emergency)</td>
<td>475,000</td>
<td>532,800</td>
<td>+57,800</td>
</tr>
</tbody>
</table>
Emergency Supplemental Appropriations Act for Defense - the Global War on Terror -
and Tsunami Relief - 2005 (H.R.1268)
(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Procurement, Army (emergency)</td>
<td>5,316,405</td>
<td>6,549,905</td>
</tr>
<tr>
<td>(By transfer emergency)</td>
<td></td>
<td>(85,000)</td>
</tr>
<tr>
<td>Other procurement, Army (incl transfer)</td>
<td>(5,316,405)</td>
<td>(6,634,905)</td>
</tr>
<tr>
<td>Aircraft Procurement, Navy (emergency)</td>
<td>200,295</td>
<td>200,295</td>
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<tr>
<td>Weapons Procurement, Navy (emergency)</td>
<td>71,800</td>
<td>71,800</td>
</tr>
<tr>
<td>Procurement of Ammunition, Navy and Marine Corps (emergency)</td>
<td>133,635</td>
<td>141,735</td>
</tr>
<tr>
<td>Other Procurement, Navy (emergency)</td>
<td>85,672</td>
<td>78,372</td>
</tr>
<tr>
<td>Procurement, Marine Corps (emergency)</td>
<td>2,974,045</td>
<td>3,588,485</td>
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<tr>
<td>Aircraft Procurement, Air Force (emergency)</td>
<td>269,241</td>
<td>279,241</td>
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<tr>
<td>Procurement of Ammunition, Air Force (emergency)</td>
<td>8,998</td>
<td>6,998</td>
</tr>
<tr>
<td>Other Procurement, Air Force (emergency)</td>
<td>2,834,328</td>
<td>2,658,527</td>
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<tr>
<td>Procurement, Defense-Wide (emergency)</td>
<td>591,327</td>
<td>646,327</td>
</tr>
<tr>
<td><strong>Subtotal, Procurement</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(By transfer emergency)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total funds available</strong></td>
<td>18,138,466</td>
<td>18,232,255</td>
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Research, Development, Test and Evaluation

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<tr>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
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<tr>
<td>Research, Development, Test and Evaluation, Army (emergency)</td>
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<td>25,170</td>
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<tr>
<td>Research, Development, Test and Evaluation, Navy (emergency)</td>
<td>179,051</td>
<td>202,051</td>
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<tr>
<td>Research, Development, Test and Evaluation, Air Force (emergency)</td>
<td>102,540</td>
<td>121,500</td>
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<tr>
<td>Research, Development, Test and Evaluation, Defense-Wide (emergency)</td>
<td>153,561</td>
<td>159,600</td>
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<tr>
<td><strong>Subtotal, RDT&amp;E</strong></td>
<td>460,322</td>
<td>508,321</td>
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Revolving And Management Funds

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<tr>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
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</thead>
<tbody>
<tr>
<td>Defense Working Capital Funds (emergency)</td>
<td>1,311,300</td>
<td>1,411,300</td>
</tr>
<tr>
<td>National Defense Sealift Fund (emergency)</td>
<td>32,400</td>
<td>32,400</td>
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<tr>
<td><strong>Subtotal, Revolving and management funds</strong></td>
<td>1,343,700</td>
<td>1,443,700</td>
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</tbody>
</table>

Other Department of Defense Programs

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<tr>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug Interdiction and Counter-Drug Activities, Defense (emergency)</td>
<td>257,000</td>
<td>257,000</td>
</tr>
<tr>
<td>Office of the Inspector General (emergency)</td>
<td>148</td>
<td>148</td>
</tr>
<tr>
<td><strong>Subtotal, Other DoD programs</strong></td>
<td>257,148</td>
<td>257,148</td>
</tr>
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Related Agencies

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<tr>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intelligence Community Management Account (emergency)</td>
<td>250,300</td>
<td>250,300</td>
</tr>
</tbody>
</table>
### Emergency Supplemental Appropriations Act for Defense - the Global War on Terror and Tsunami Relief - 2005 (H.R.1288)

(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>General Provisions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional transfer authority (emergency)</td>
<td>2,500,000</td>
<td>2,000,000</td>
</tr>
<tr>
<td>New transfer authority (emergency)</td>
<td>5,000,000</td>
<td>2,000,000</td>
</tr>
<tr>
<td>Defense Cooperation Account (emergency)</td>
<td>12,000</td>
<td>12,000</td>
</tr>
<tr>
<td><strong>Total, Chapter 1</strong></td>
<td>71,796,753</td>
<td>73,730,754</td>
</tr>
<tr>
<td><strong>(By transfer emergency)</strong></td>
<td>---</td>
<td>(85,000)</td>
</tr>
<tr>
<td><strong>Total funds available</strong></td>
<td>(71,796,753)</td>
<td>(73,815,754)</td>
</tr>
</tbody>
</table>

#### CHAPTER 2

**DEPARTMENT OF DEFENSE**

| Military Construction, Army (emergency) | 990,100 | 930,100 | -60,000 |
| Military Construction, Navy and Marine Corps (emergency) | 107,380 | 92,720 | -14,660 |
| Military Construction, Air Force (emergency) | 301,520 | 301,386 | -134 |
| Military Personnel, Army (emergency) | 1,542,100 | 1,542,100 | --- |
| Operation and Maintenance, Army (emergency) | 66,300 | 66,300 | --- |
| Defense Health Program (emergency) | 175,550 | 175,550 | --- |
| **Total, Chapter 2** | 3,182,950 | 3,108,156 | -74,794 |

| **Total, Title I** | 74,979,703 | 76,838,910 | +1,859,207 |

#### TITLE II - INTERNATIONAL PROGRAMS AND ASSISTANCE FOR RECONSTRUCTION AND THE WAR ON TERROR

#### CHAPTER 1

**BILATERAL ECONOMIC ASSISTANCE**

**FUNDS APPROPRIATED TO THE PRESIDENT**

United States Agency For International Development

| International Disaster and Famine Assistance (emergency) | 44,000 | 44,000 | --- |
| Transition Initiatives (emergency) | 63,000 | --- | -63,000 |
| Operating Expenses of the USAID (emergency) | 24,400 | --- | -24,400 |
| Operating Expenses of the USAID Office of Inspector General (emergency) | 2,500 | --- | -2,500 |
| Operating Expenses of the USAID Office of Inspector General | 2,500 | --- | +2,500 |
| **Subtotal, USAID** | 133,900 | 70,900 | -63,000 |

Other Bilateral Economic Assistance

| Economic Support Fund (emergency) | 1,631,300 | 375,500 | -1,254,800 |
| Economic Support Fund | --- | 684,700 | +684,700 |
| Assistance for the Independent States of the Former Soviet Union (emergency) | 60,000 | --- | -60,000 |
| Assistance for the Independent States of the Former Soviet Union | --- | 33,700 | +33,700 |
| Global War On Terror Partners Fund (emergency) | 200,000 | --- | -200,000 |
| **Subtotal, Other bilateral assistance** | 1,891,300 | 1,094,900 | -796,400 |

#### DEPARTMENT OF STATE

**International Narcotics Control and Law Enforcement (emergency)**

| 680,000 | 594,000 | -66,000 |

| 53,400 | 53,400 | --- |
Emergency Supplemental Appropriations Act for Defense - the Global War on Terror - and Tsunami Relief - 2005 (H.R.1268)  
(Amounts in thousands)

<table>
<thead>
<tr>
<th></th>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonproliferation, Anti-Terrorism, Demining and Related Programs (emergency)</td>
<td>32,100</td>
<td>17,100</td>
<td>-15,000</td>
</tr>
<tr>
<td>Subtotal, Department of State</td>
<td>745,800</td>
<td>664,500</td>
<td>-81,300</td>
</tr>
</tbody>
</table>

MILITARY ASSISTANCE

Funds Appropriated to the President

<table>
<thead>
<tr>
<th>Fund Description</th>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreign Military Financing Program (emergency)</td>
<td>250,000</td>
<td>---</td>
<td>-250,000</td>
</tr>
<tr>
<td>Foreign Military Financing Program</td>
<td>---</td>
<td>250,000</td>
<td>+250,000</td>
</tr>
<tr>
<td>Peacekeeping Operations (emergency)</td>
<td>210,000</td>
<td>10,000</td>
<td>-200,000</td>
</tr>
<tr>
<td>Rescission of unexpended balances (rescission)</td>
<td>---</td>
<td>-1,000,000</td>
<td>-1,000,000</td>
</tr>
<tr>
<td>Subtotal, Military Assistance</td>
<td>480,000</td>
<td>-740,000</td>
<td>-1,220,000</td>
</tr>
</tbody>
</table>

| Total, Chapter 1                                      | 3,230,700       | 1,090,300                | -2,140,400       |
| Appropriations                                        | ---             | 995,300                  | +995,300         |
| Emergency appropriations                              | 3,230,700       | 1,095,000                | -2,135,700       |
| Rescissions                                           | ---             | -1,000,000               | -1,000,000       |

CHAPTER 2

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

Administration of Foreign Affairs

<table>
<thead>
<tr>
<th>Fund Description</th>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diplomatic and Consular Programs (emergency)</td>
<td>767,200</td>
<td>748,500</td>
<td>-18,700</td>
</tr>
<tr>
<td>Embassy Security, Construction, and Maintenance (emergency)</td>
<td>658,000</td>
<td>592,000</td>
<td>-66,000</td>
</tr>
</tbody>
</table>

International Organizations

Contributions for International Peacekeeping Activities (emergency)  

<table>
<thead>
<tr>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>780,000</td>
<td>580,000</td>
<td>-200,000</td>
</tr>
</tbody>
</table>

RELATED AGENCY

Broadcasting Board of Governors

<table>
<thead>
<tr>
<th>Fund Description</th>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>International Broadcasting Operations (emergency)</td>
<td>4,800</td>
<td>4,800</td>
<td>---</td>
</tr>
<tr>
<td>Broadcasting Capital Improvements (emergency)</td>
<td>2,500</td>
<td>---</td>
<td>-2,500</td>
</tr>
</tbody>
</table>

Total, Chapter 2  

<table>
<thead>
<tr>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,212,500</td>
<td>1,925,300</td>
<td>-287,200</td>
</tr>
</tbody>
</table>

CHAPTER 3

DEPARTMENT OF AGRICULTURE

Foreign Agricultural Service

<table>
<thead>
<tr>
<th>Fund Description</th>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Law 480 Title II Grants (emergency)</td>
<td>150,000</td>
<td>150,000</td>
<td>---</td>
</tr>
</tbody>
</table>

Total, Title II  

<table>
<thead>
<tr>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,593,200</td>
<td>3,165,600</td>
<td>-2,427,600</td>
</tr>
</tbody>
</table>
Emergency Supplemental Appropriations Act for Defense - the Global War on Terror - and Tsunami Relief - 2005 (H.R.1268)  
(Amounts in thousands)

<table>
<thead>
<tr>
<th></th>
<th>FY 2005</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TITLE III - DOMESTIC APPROPRIATIONS FOR THE WAR ON TERROR</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CHAPTER 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>DEPARTMENT OF ENERGY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Nuclear Security Administration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Defense Nuclear Nonproliferation (emergency)</td>
<td>110,000</td>
<td>110,000</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CHAPTER 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>DEPARTMENT OF HOMELAND SECURITY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United States Coast Guard</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Expenses (emergency)</td>
<td>111,950</td>
<td>111,950</td>
<td>---</td>
</tr>
<tr>
<td>Acquisition, Construction and Improvements (emergency)</td>
<td>49,200</td>
<td>49,200</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CHAPTER 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>DEPARTMENT OF JUSTICE</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Bureau Of Investigation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries and Expenses (emergency)</td>
<td>80,000</td>
<td>78,970</td>
<td>-1,030</td>
</tr>
<tr>
<td>Drug Enforcement Administration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries and Expenses (emergency)</td>
<td>7,648</td>
<td>7,648</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total, Title III</td>
<td>358,798</td>
<td>357,768</td>
<td>-1,030</td>
</tr>
</tbody>
</table>

**TITLE IV - INDIAN OCEAN TSUNAMI RELIEF**

| CHAPTER 1                          |         |                         |                 |
| **FUNDS APPROPRIATED TO THE PRESIDENT** |       |                         |                 |
| Other Bilateral Assistance         |         |                         |                 |
| Tsunami Recovery and Reconstruction Fund (emergency) | 701,000 | 656,000 | -45,000 |

| CHAPTER 2                          |         |                         |                 |
| **DEPARTMENT OF DEFENSE**          |         |                         |                 |
| Operation And Maintenance          |         |                         |                 |
| Operation and Maintenance, Navy (emergency) | 124,100 | 124,100 | --- |
| Operation and Maintenance, Marine Corps (emergency) | 2,800 | 2,800 | --- |
| Operation and Maintenance, Air Force (emergency) | 30,000 | 30,000 | --- |
| Operation and Maintenance, Defense-Wide (emergency) | 29,150 | 29,150 | --- |
| Overseas Humanitarian, Disaster, and Civic Aid (emergency) | 36,000 | 36,000 | --- |
|                                      |         |                         |                 |
| Total, Chapter 2                    | 222,050 | 222,050 | --- |

| CHAPTER 3                          |         |                         |                 |
| **DEPARTMENT OF DEFENSE**          |         |                         |                 |
| Defense Health Program (emergency) | 3,600   | 3,600   | ---   |
Emergency Supplemental Appropriations Act for Defense - the Global War on Terror - and Tsunami Relief - 2005 (H.R.1268)
(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 2005 Request</th>
<th>Recommended in the Bill</th>
<th>Bill vs. Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>350</td>
<td>350</td>
<td>---</td>
</tr>
</tbody>
</table>

CHAPTER 4
DEPARTMENT OF HOMELAND SECURITY
United States Coast Guard

Operating Expenses (emergency)......................... 350 350 ---

CHAPTER 5
DEPARTMENT OF THE INTERIOR
United States Geological Survey

Surveys, Investigations, and Research (emergency)..... 8,100 8,100 ---

CHAPTER 6
DEPARTMENT OF COMMERCE
National Oceanic And Atmospheric Administration
Operations, Research, and Facilities (emergency).... 4,830 4,830 ---
Procurement, Acquisition and Construction (emergency). 9,670 9,670 ---

Total, Chapter 6........................................ 14,500 14,500 ---

Total, Title IV............................................ 949,600 904,600 -45,000

Grand total.............................................. 81,881,301 81,266,878 -614,423

Appropriations........................................... --- 995,300 +995,300
Emergency appropriations................................. 81,881,301 81,271,578 -609,723
Recessions................................................ --- -1,000,000 -1,000,000
(Transfer authority).................................... (7,500,000) (4,000,000) (-3,500,000)
(By transfer).............................................. --- --- ---
(By transfer emergency)................................ (85,000) (+85,000)
Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA), the ranking member of the defense subcommittee.

Mr. MURTHA. Mr. Chairman, this truly a bipartisan bill, the defense part of it in particular. Chairman YOUNG and I have worked very closely together. He visited some places; I visited three bases. We found shortages. We found problems. We tried to rectify those problems. We tried to put in what the people in the field asked us and what needed to be done.

We realized that insurance payments needed to be changed. We realized that the death benefits needed to be changed. We also realized there is a jurisdictional problem, but we felt like it could not wait. I have had 12 people killed in my district, and there is no question in my mind for the need for that change.

But the thing that is the most important in my estimation is accountability. Chairman YOUNG and I sat in his office not long ago and talked about the bill, and he got his copy of the Constitution out and talked about accountability. It talked about congressional accountability. And I thought how unaccountable the Defense Department seems to be at this stage. They do not seem to realize we are not here to hurt them, we are here to help them. We believe that if you do not have the confidence of the people, if you do not have confidence in the way the money is being spent, you are going to lose confidence in the overall project, the overall philosophy, the overall direction we are trying to go.

We put language in the bill last year, and we said, you have got to give us a report. That report is 3 or 4 months late. No reason for that to happen. They did not even have copy of the Constitution, but it did give us some confidence, and I thought at least the Defense Department gets the message. I support the bill and will do everything I can to get it passed. Of course, any problems we have in conference I am sure we will work them out.

Mr. LEWIS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona (Mr. KOLBE).

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

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me this time. I want to congratulate the gentleman on his first bill to be brought to the floor of the House of Representatives. I think it is indicative of the good work that he and his staff are doing.

Mr. Chairman, I want to talk about the funding of programs that are under the jurisdiction of the subcommittee that I chair, that is, the Subcommittee on Foreign Operations, Export Financing and Related Programs. It totals $2.7 billion. However, approximately $1 billion of that is offset with a cut to previously appropriated funds. The remainder of nonemergency spending and has offset these funds for tsunami recovery. The resulting recommendation is a balanced approach to supporting the President's request and provides much-needed emergency appropriations to further the fight against terror and provide disaster assistance.

Let me explain further the recommendation for the programs under the foreign operations jurisdiction. We broke the President's request down into three different categories. The first includes programs that are true emergencies, such as replenishment of funds that were reprogrammed previously for tsunami disaster assistance and poppy eradication in Afghanistan, Darfur and in Asia, and funds to train Afghan police, funds that are necessary to improve conditions that would enable us to bring our troops home as soon as possible. Total emergency spending under this first category is $1.75 billion, as I already indicated.

The second category of funds includes those programs requested by the President that we have determined to not be an emergency, but are important to U.S. leadership abroad. Additionally, this category includes reconstruction resources to stabilize and improve conditions in Afghanistan and the Middle East which support our efforts to bring our troops home, funds to support the democratic movement and government in Ukraine, and funds for programs in the West Bank and Gaza. We have provided $95 million in this second category of nonemergency spending and has offset these funds with the rescission of prior foreign assistance appropriation. The resulting recommendation is a balanced approach to supporting the President's request and provides much-needed emergency appropriations to further the fight against terror and provide disaster assistance.

I think my colleagues recognize that we are faced with unique opportunities in the Middle East and Afghanistan. Our leadership can have positive influence in both the West Bank and Gaza, in Ukraine, in Indonesia and Sri Lanka and, of course, in Afghanistan. I saw a press report recently from Indonesia, the world's most populous Muslim country, that showed that the backing for Osama bin Laden had dropped from 58 percent in 2003 to 23 percent today.

I believe part of that is due to the efficiency and the generosity of U.S. relief efforts after the December tsunami. As chairman of the Foreign Operations, Export Financing and Related Programs Subcommittee, I am repeatedly reminded of the need to ask a nation do each year to provide disaster assistance and relief. It is encouraging to know that at least one important
Muslim country has started to take notice.

Finally, the last category includes programs requested by the administration that we determined were less urgent and could be considered in the 2006 budget. This category includes $1.2 billion in funding and includes fiscal year 2006 operating costs of our programs overseas and large construction projects that can either wait for consideration or would have a possible revenue stream, making them ideal projects for the Bank and Asian Development Bank funding. These programs total $616 million for Afghanistan, $200 million for the new Global War on Terror Partners Fund, the new $200 million Solidarity Fund, and $45 million in debt relief for countries affected by the December tsunami.

Let me say that the funds we are providing in the foreign assistance chapter must be considered an investment in security both in the region and on American soil. It is also a responsibility to our future. We must not be faced 20 years in the future with the knowledge that we looked at the opportunities of a Taliban-free Afghan government, a democracy-oriented government, a Middle East craving freedom and representative government, only to turn away and leave them to their own meager means with no U.S. influence.

Mr. Chairman, I urge that this legislation be adopted. I believe that this is a good bill and a well written one.

Mr. OBERRY. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from New York (Mrs. LOWEY), the ranking member of the Foreign Operations, Export Financing and Related Programs Subcommittee.

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

Mrs. LOWEY. Mr. Chairman, I am pleased to have worked with the gentleman from Arizona (Chairman KOLBE) to develop recommendations on the international assistance portion of the bill. As the gentleman from Arizona (Chairman KOLBE) said, the bill does cut $1.2 billion in nonemergency initiatives from the administration’s international assistance request as well as rescinds an additional $1 billion in previously appropriated funds that are no longer needed, and I certainly concurred with the chairman’s recommended cuts. However, I do want to express my concern that we will be expected to fund some of these items on the fiscal year 2006 bill, and as I anticipate a 302(b) allocation for the Foreign Operations bill that may cut the 2006 request, these needs will be tough to accommodate.

We are now into year three of the reconstruction programs in Afghanistan; yet the administration continues to rely on the category total construction. There are clearly many nonemergency items in the $2 billion requested for Afghanistan in this bill.

The establishment of a stable democracy in Afghanistan with their own security forces is the key to bringing our troops home. The administration, I am concerned, has set back that effort by overuse of the emergency supplemental mechanism instead of providing appropriate and essential nonappropriations process, and I do hope in working closely with the gentleman from Arizona (Chairman KOLBE), we will be able to provide sufficient funds that are so important for the future of Afghanistan.

I am very pleased that the committee was able to protect funds for continued urgent needs in Afghanistan, especially for initiatives that support women and girls. The supplemental contains approximately $63 million in support of education, health, economic, democracy programs that target women and girls. And I am pleased with the generous amounts in the bill for the tsunami relief and reconstruction, as well as the funds that advance our foreign policy interests.

I will be supporting the Jackson amendment to add $100 million for unmet needs in Africa because in my judgment the ongoing complex crisis in Africa, and a region like the Congo, Liberia, Northern Uganda, Ethiopia, and Somalia may be out of the media spotlight, but the human suffering continues and additional funds are urgently needed to provide food and medical assistance and to facilitate refugee returns and to provide drought-related aid. The Congress does have a responsibility to real disasters and to ensure that the United States is generous in our response to crises throughout the world. We have been extraordinarily generous with our tsunami relief, and I think we need to follow suit to meet the real needs in Africa.

I would also note that the bill contains $200 million for the West Bank Gaza program with appropriate safeguards for monitoring and auditing. Fifty million of the $200 million will improve the flow of goods and people with Israel and will thus improve the security of Israel and the region.

Finally, I will be also supporting the Maloney amendment to transfer $3 million from ESF accounts to UNFPA to assist tsunami victims. The UNFPA, with its proven track record and long-term assistance to governments in tsunami-affected areas, is uniquely placed to immediately respond to the needs of women and children, populations among the most vulnerable after disasters such as the tsunami.

In closing, I just want to say for me I want to applaud the important efforts of the gentleman from California (Chairman LEWIS); the gentleman from Wisconsin (Mr. OBEY), ranking member; the gentleman from Pennsylvania (Mr. MURTHA); and the gentleman from California (Mr. LEWIS) who have worked together on this section of the bill. I think it is a good bill, it is an important bill, and provides very vital services to important places around the world where there are ongoing emergencies.

Mr. LEWIS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I compliment my colleague from California (Chairman LEWIS) for having brought this first of many important appropriation bills to the floor. He explained the Defense part of this bill very well, as well as he should because he has served superbly as chairman of the Defense Subcommittee for many years. Our portion of the bill is just a little over $73 billion, and it is to provide for the warfighters, to provide the equipment that they need and the protection that they need as they go about carrying out their mission.

I want to take just a few seconds and comment on the issue that the gentleman from Pennsylvania (Mr. MURTHA) raised because we have worked together on this section of the very beginning, along with the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKEELTON) of the Committee on Armed Services, the gentleman from California (Chairman LEWIS) and the gentleman from Wisconsin (Mr. OBEY). This is truly a work of bipartisanship. But on the subject of accountability, there is no reason that I can think of other than the importance of the Legislative Branch of government that Arizonans (Mr. LEWIS) and Wisconsinites (Mr. OBEY) raised because we have worked together on this since the very beginning.

So I do not know whether that means we are a little more equal, but I do know that we control the money. And as I have referred to so many times, and I will continue when it is necessary, it says “No money shall be drawn from the Treasury, but in Congress shall be made an appropriation for the same.” That means nobody can spend money, Federal money, unless we appropriate it. But part of that section that does not get referred to very often says in the same sentence, “and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.”

So we think that is just as important, and we, the gentleman from Pennsylvania (Mr. MURTHA), the gentleman from California (Mr. LEWIS), the gentleman from Wisconsin (Mr. OBEY) have just recently met with representatives of the Defense Department. The gentleman from Pennsylvania (Mr. MURTHA) and I just recently sent a letter to the Secretary of Defense outlining our concerns. I think we have made that point very well.

What we do in this supplemental is to provide, as the gentleman from California (Chairman LEWIS) has mentioned, body armor, the unarmored Humvees, ammunition, and medical care. We provide the soldiers that are fighting in the war with what they
need to accomplish their mission and what they need to protect themselves while they are accomplishing their mission. And the specific details of the bill have been made available to Members if they want to see all of the items that are in this bill.

I would like to make a brief closing statement that if we are going to get our troops out of Iraq, and we are, and we want them out as soon as we possibly can, and as difficult as it is to state a specific date, but the way we are going to get our troops out, our exit strategy is to provide training to the Iraqis so they can protect themselves from these terrible, violent insurgent terrorists. Part of the money in this bill goes to do just that, to train the Iraqis to protect themselves so that they can have a self-government with some semblance of security. So part of the money will allow the Iraqis to get the training that they need. That is our exit strategy. Let them take over from the American troops, and our American troops will come home. And in the meantime, say a prayer for them, the ones that are out there still. They are still in harm’s way. They are doing a really great job, and working under the attitude in beautiful. As we visit soldiers who have come back from the war in the hospitals, in the VA hospitals, their attitudes are just unbelievable. They believe in what they are doing. So many of them are anxious to get well and get back to the battle. But, anyway, we member, support our troops. Find a job for them when they get out. Take them to lunch. Buy them dinner. Thank them for the good work that they do.

Mr. MURTHA. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, as someone who for the past 2 years has represented over 400,000 soldiers at Fort Hood, who have fought for our country in Iraq, I am deeply appreciative of the expeditious manner in which the gentleman from California (Chairman LEWIS), the gentleman from Wisconsin (Mr. OBEE), the gentleman from Florida (Chairman YOUNG), and the gentleman from Pennsylvania (Mr. MURTHA) have worked together to pass this important piece of legislation.

This bill sends a very clear message to our troops in harm’s way that while Americans differ for many reasons of opinion about the Iraqi War, the fact is that we are all unified when it comes to seeing that our troops in harm’s way have all of the support that they need and deserve to do their mission and to come home safely to their families.

In the area of responsibility for the subcommittee on which I serve under the Committee on Appropriations, the Military Quality of Life and Veterans Affairs, and Related Agencies Subcommittee, I wholeheartedly support the language and funding in this bill. Under our subcommittee is $3.1 billion in funding, $175 million of which goes to the Department of Defense health care system to deal with the direct increased costs for health care for our wounded troops coming home: $1.5 billion to pay for housing allowance for our Guard and Reserve soldiers and their families; and $1.3 billion in military construction to provide for the replacement of facilities in Iraq and throughout our country to support our war against terrorism.

I enthusiastically and wholeheartedly support this bill. I do want, Mr. Chairman, to express one concern. The fact is that in the month of December last year, there have been 48,000 American troops coming home who have needed health care from the Veterans Administration health care system. While we put $175 million in the mandatory part of this budget to take care of extra DOD health care costs, there is not a dime in this supplemental appropriation bill to help the Veterans Administration deal with the cost of dealing with 48,000 and still counting troops who have needed VA health care.

Using the VA Secretary’s own testimony before our subcommittee last week, the average cost mathematically is $6,200 for treatment for each veteran within the VA health care system. Multiply that number by the 48,000 troops coming back from Iraq and Afghanistan, and we are talking about an additional $302 million of cost to the VA health care system to help provide needed care for these deserving patriots. I do not think that money ought to come out of the hide of VA health care services to other veterans, and I do not think we should cut corners in terms of quality of care for Iraq and Afghanistan War veterans once they have left the Department of Defense system and gone into the VA system.

In committee we heard some say the VA is flush with money. I have looked into that statement, and the fact is the VA is presently laying off hundreds of employees in the VA medical system and taking money out of their equipment accounts to fund their personnel accounts. During time of war and in the spirit of this bill supporting our troops not only when they are in the combat zone but when they return home, I think in that spirit we ought to, as this bill goes to conference committee, look specifically at what additional needs the VA health care system needs, provide the quality medical care that these troops need. If this war is worth fighting, certainly it is worth paying for and it is worth supporting those troops even after they have left the military and continue to pay the mental and physical price for decades for having stood up for our country.

So I would like to urge the committee chairman, the gentleman from California (Mr. LEWIS), the gentleman from Pennsylvania (Mr. MURTHA), and the gentleman from Florida (Mr. YOUNG) to work together with us on a bipartisan basis to see that we can add the needed money for the VA health care system, to see that we do not shortchange these great Americans who have risked their lives for our country.

Mr. LEWIS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. WOLF).

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

Mr. WOLF. Mr. Chairman, the bill we bring to the floor today includes $2 billion for funding requirements under the jurisdiction of the Subcommittee on Science, State Justice and Commerce including State Department and FBI needs related to program expenses in Iraq.

There are two major issues that I want to summarize, because there is not a lot of time.

The embassy in Iraq. The embassy in Iraq, 45 people have died in attacks on the embassy in Iraq. We want security in this building, we want security in many other buildings around the city. This embassy will cost less in many respects than many of the other buildings. So there is going to be a lot to talk about, but to send our men and women in harm’s way to live in a building that is unsafe or to delay the construction would be, quite frankly, wrong.

On the whole issue of peacekeeping, there may very well be an amendment to strike the peacekeeping section. Members should know that in the North-South war, 2.1 million people in Sudan, many Christians, some Muslims and Animists, died in the North-South issue.

Darfur is the scene of genocide today as we now speak, and every Member of this House voted to say there was genocide in Sudan, and every Member of the Senate voted the same way. To take away the peacekeeping money after the Bush administration has done such a good job of bringing North-South peace, to take that away to allow the raping and the pillaging and everything that is going on in Sudan would be morally unacceptable.

Now, President Bush, working with Secretary Powell and Senator Danforth, has negotiated, after 20 years, and keep in mind, Osama bin Laden lived in Sudan from 1991 to 1996, have negotiated, to strike the peacekeeping money that will send troops in that regard, and we do not want to send American troops there, troops that will stop the pillaging and put insulation into the peace agreement that has been signed, and that will put pressure, pressure, on ending the genocide that is taking place in Darfur.

I would beg this Congress after the good work of this administration and Members on both sides, and almost everybody signed Dear Colleague letters urging the administration to do more on Sudan, they are now doing it. Keep in mind there was slavery in Sudan up
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until 2 years ago. Without peacekeepers in Sudan, the North-South agreement will break down. 2.1 million Christians will have died in vain, and many Muslims and many Animists, and Darfur will not come to an end.

So I beg this institution when this amendment to strike peacekeeping for this area, do not support it, because if you support it and it carries, the genocides, I can guarantee you, will continue in Darfur and the North-South peace agreement will break down. We will begin. And keep in mind, Hamas has training camps in Khartoum and so does Hezbollah.

The bill we bring to the Floor today includes just over $2 billion for funding requirements under the jurisdiction of the Subcommittee on Science, State, Justice and Commerce, including State Department and FBI needs related to program expenses in Iraq.

For the State Department, we have included $1.92 billion, a reduction of $285 million from the President’s request. The bill includes the necessary funds to maintain our diplomatic presence in Iraq and Afghanistan, and to let our personnel carry out this duties in the safest and most secure manner possible.

If we are going to conduct diplomacy anywhere, it needs to be done, and done right, in Iraq and Afghanistan. These are front lines of our foreign policy, and we neglect them at our peril. This bill pays the costs necessary for operations, logistics, and security in those dangerous, but critically important parts of the world.

This bill also includes $592 million to allow State to move out quickly to build a secure compound in Baghdad. The current facilities are not secure. We need to move people out of harm’s way as soon as possible.

State has secured a 100 acre site, and is ready to begin construction immediately upon receiving the funds in this bill. Since the bombings in Nairobi and Dar Es Salaam, State has delivered many of these secure compounds on time and on budget. With this funding they will complete a secure living and working compound within 24 months of enactment.

The bill also provides $586 million, $200 million below the President’s request, to pay for the U.S. share of ongoing peacekeeping missions and a new mission for Sudan, where the U.S. has been a driving force for a peace agreement.

We have also included requested funding for the FBI counterterrorism efforts, and for DEA counternarcotics efforts in Afghanistan.

Financing required to complete in FY 2006 and FY 2007, and those $14.5 million to jump-start the improvement of United States tsunami warning capabilities.

The Committee has scrubbed the President’s request and reduced where we thought it made sense to do so. The result before you provides funding for important security measures for our diplomatic personnel, and provides for our ongoing commitments in Iraq and elsewhere.

I urge my colleagues to support the bill.

Mr. OBEY. Mr. Chairman, I yield 4 minutes 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, I cannot help before I begin to join with my colleague, the gentleman from Virginia (Mr. WOLF), to say that we absolutely cannot strike those vital funds for peacekeeping.

But, Mr. Chairman, I rise today, as well as to support those peacekeeping dollars, to say that many of the efforts in this legislation, the work that has been done by the gentleman from Wisconsin (Mr. OSEY) and the gentleman from California (Mr. LEWIS), I can appreciate the supplies, the supplies, the supplies, even though as I have spoken to my good friend and leader, the gentleman from Pennsylvania (Mr. MURTA), on this issue, it is important that we have an announced success strategy for leaving Iraq. Remember what I said, a success strategy, and I have not yet heard that from the administration.

But I rise today to comment that the legislation fails to contain important provisions to provide what is truly needed by our government and that would ensure that the $81.3 billion in this bill is really spent wisely. I think we could have done better.

I am very disturbed as the ranking member of the Judiciary Subcommittee on Immigration, Border Security, and Claims that we have now forced into this bill as a self-operating part of the rule that H.R. 418 would be included in the engrossment of the underlying bill. I opposed the Republican leadership’s position to attach the REAL ID Act to this emergency supplemental. This is anti-immigrant legislation that will not make us safer. Rather, it scapegoats asylum seekers and other immigrants.

Last year, Congress passed new driver’s license standards in the 9/11 intelligence reform bill with bipartisan support. And I do support that. It was a good intelligence and transparency slowly. That bill was supported in a bipartisan manner.

But we do not need to undo the careful compromise and thought processes by imposing anti-immigrant policies onto States’ driver’s licenses and identification processes.

Where is the money? This is an unfunded mandate. What is a State going to do if they are not able to implement these new procedures because they do not have the money?

The bill is attached here in an effort to force the Senate to pass these ill-conceived policies. We have had no hearings on this REAL ID legislation, and I oppose the inclusion of this bill if the underlying legislation is passed and engrossed as forth in H. Res. 151.

H.R. 418 includes numerous provisions limiting the rights of refugees, imposing onerous new driver’s license requirements on the States, making it easier to deport legal immigrants, legal immigrants, waiving all Federal laws concerning the construction of fences and barriers where we have been told by Homeland Security experts they will not make us safer anywhere in the United States, and denying immigrants long-standing habeas corpus rights.

I believe those who are criminals need to be incarcerated, but there are immigrants who are standing in line trying to achieve citizenship. If reenactment of this legislation is passed, it will yet again threaten to close America’s doors to religious minorities escaping religious persecution and women fleeing sex trafficking, rape and forced abortions.

In the wake of the 9/11 tragedy, and even after the PATRIOT Act, this legislation would further target immigrants for crimes they have not committed and cens for which they are not responsible. At some point we have to treat terrorism as a problem that requires an “intelligence” response, as opposed to an excuse to scapegoat immigrants.

An emergency supplemental that purports to aid tsunami victims, our troops in Iraq and Afghanistan is no place for the provisions of the REAL ID Act. I support spending the necessary dollars to keep our troops in Iraq safe, to provide relief to victims of the tsunami in Southeast Asia and Africa, and to provide security in Afghanistan; but this is a poison pill.

I look forward to supporting the Jackson amendment. I will offer an amendment to stop the devastating lack of funding on the Immigration and Customs Enforcement section of DHS.

But we need to take this REAL ID out of it so we can have a good bill. Mr. Chairman, I rise in support of some of the efforts funded in this emergency supplemental, H.R. 1268, although the legislation fails to contain important provisions that would both provide what is truly needed by our government and that would ensure that the $81.3 billion is really spent wisely. Of particular concern to me as Ranking Member of the House Judiciary Subcommittee on Immigration, Border Security, and Claims, is the forced inclusion of H.R. 418 in the engrossment of the underlying bill, H.R. 1268.

I oppose the Republican leadership’s decision to attach the REAL ID Act to this Emergency Supplemental. This anti-immigrant legislation will not make us safer—rather, it scapegoats asylum-seekers and other immigrants.

Last year, Congress passed new driver’s license standards in the 9/11 Intelligence Reform bill with bipartisan support. We do not need to undo that careful compromise by imposing anti-immigrant policies onto States’ driver’s license and identification processes.

This bill is being attached here in an effort to force the Senate to pass these ill-conceived policies. We have had no hearings on this bill, and I oppose the inclusion of this bill if the underlying legislation is passed and engrossed as set forth in the Rule, H. Res. 151.

H.R. 418 includes numerous provisions limiting the rights of refugees, imposing onerous new driver’s license requirements on the States, making it easier to deport legal immigrants, waiving all Federal laws concerning the construction of fences and barriers anywhere within the United States, and denying immigrants long standing habeas corpus rights.
Mr. Chairman, I support spending the necessary dollars to keep our troops in Iraq safe, to provide relief to victims of the tsunamis in southeast Asia and Africa, and to provide security for Afghanistan. However, the legislation before us today stands to use the public’s fear of terrorism to radically change asylum law for all aliens with some connection to terrorism or relating to the issues contained in the underlying legislation. For these reasons, I oppose this legislation in its present form. I will, however, support the Jackson Amendment on Africa and I as well, will offer an amendment to stop the devastating lack of funding of the Immigration and Customs Enforcement section of DHS, a real crucial part of the Nation’s Homeland Security.

Mr. Lewis of California. Mr. Chairman, I am happy to yield 4 minutes to the gentleman from Michigan (Mr. Kolb), the chairman of the Subcommittee on Transportation, Treasury, and HUD.

Mr. Kolb of Michigan. Mr. Chairman, I rise in strong support of the supplemental appropriations bill, and I thank the gentleman from California (Mr. Lewis) for yielding me time. I want to commend the gentleman for putting together what I believe is an excellent and fair bill and for his leadership in reviewing each and every element of the administration’s request.

The Subcommittee on Transportation, Treasury, and HUD that I chair has mostly technical items in this supplemental that are not controversial, so I would like to focus my comments on the overall bill.

In the past few months, we have seen an extraordinary progress in Iraq and in the Middle East at large. From the historic Iraqi elections, the new Palestinian leadership, voting in Saudi Arabia, and major demonstrations in Lebanon against their Syrian occupiers, I believe that these events show major positive changes that can come to this part of the world.

We must maintain that momentum, and that is what this bill does. By passing this legislation, we will keep our soldiers in Iraq fully equipped as they continue their daunting task in maintaining security and training Iraqis to take over those functions.

The money included in this bill to secure a new United States embassy will help get us out of the palaces that we currently occupy. We will provide much-needed assistance to Afghanistan in its efforts to become more secure, restrict the drug trade, and develop its economy. This is a good bill, and it deserves our support.

I would like to comment specifically on one part of the supplemental that I know many of us are concerned about, and that is the $200 million to aid the Palestinian Authority. The Palestinians have an opportunity to get their house in order, and we should help them. ex-Finance Minister Fayyad are the right people for their jobs, but we all know that the Palestinian Authority still needs a great deal of reform, and we need to be careful about how we provide money to help the Palestinians.

That is why under the direction and leadership of the gentleman from Arizona (Mr. Kolb), we included specific conditions for how this money can be used. We maintain the prohibition on direct assistance to the Palestinian Authority. We require the administration to provide a comprehensive report on the steps taken by the Palestinian Authority on good governance, economic reforms, and dismantling the terrorist infrastructure. We require an audit of the Palestinian Authority’s financial structures.

Providing this money sends an important signal that the U.S. is prepared to help the Palestinians. Including the appropriate conditions sends an equally important signal that the Palestinian Authority has expectations that must be met. The committee should be commended for handling this issue in a balanced and fair manner, and I urge everyone, obviously, to support it.

Mr. Chairman, again I say, this is a good bill. It is a necessary bill, and I urge again all of my colleagues to support it.

Mr. Obey. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. Hoyer), the minority whip.

Mr. Hoyer. Mr. Chairman, I thank the gentleman from Wisconsin, and I thank our new chairman and congratulate him on his new position.

Mr. Chairman, I intend to vote for this supplemental appropriations bill, because I believe it is imperative to support our men and women in harm’s way in Iraq and Afghanistan and to continue our Nation’s important work there. Our Nation must finish what it has begun. We cannot disregard the brave service of our men and women, more than 1,500 of whom have given the ultimate measure of sacrifice for freedom.

As Tom Friedman pointed out in the New York Times in February: "There is no single action we could undertake anywhere in the world to reduce the threat of terrorism that would have a bigger impact today than a decent outcome in Iraq." I share that view.

Mr. Chairman, I believe it is more than mere coincidence that over the last several months the winds of democratic reform have begun to blow, not only in Iraq and Afghanistan but also in Lebanon, Egypt, Saudi Arabia, and the Palestinian Authority. But we must harbor no illusions about the prospects for democratic reform in lands that have never known it. However, I believe that it is in our Nation’s interests to encourage and promote it.

Mr. Chairman, I also want to note that this legislation is funding for food and humanitarian assistance in Sudan, as well as tsunami relief.

However, despite these important funding requests, I would be remiss if I did not point out that this bill is far from perfect. In many respects it is troubling.

This Congress has a constitutional obligation, a duty, on behalf of the voters who elected us to serve here to hold the administration accountable for such expenditures. We have asked for a report. We have not gotten that report yet.

The gentleman from Pennsylvania (Mr. Murtha) mentioned that in our markup. The gentleman from California (Mr. Lewis) mentioned that in our markup.

The American public wants to support this effort but wants to do so in an effective, honest and efficient manner. It is our responsibility to ensure that.

It is clear that the administration has included many measures in addition that are not emergencies. We understand that practice. It has happened before. But I believe with all due respect that we have not met our oversight requirements.

This bill is approximately $82 billion. In talking to staff, and maybe I stand corrected, but there are only two appropriations bills, Defense and Labor and Health that are larger than this $82 billion bill. Now there may be another one. I think VA-HUD used to be but we do not have VA-HUD. What does that mean? That means we are passing the third largest appropriations bill that we will pass in the Congress.

What does that mean? We are passing the third largest appropriations bill through this House without a single hearing, not one. There was no hearing in subcommittee, any of the subcommittees. There was no hearing in the full committee. We had 2½ hours of consideration in the full committee.

Mr. Chairman, as you know, we literally hold hundreds, perhaps thousands of hours of hearings on the individual bills. As a result, individual Members have the opportunity to ask questions, to make sure themselves that the money that is asked for is being spent appropriately. Mr. Chairman, I do not hold our new chairman responsible for this. This is a supplemental. It came down relatively late. Our men
Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would take a moment to suggest to the gentleman that he may not be aware of it because he does not serve on those subcommittees, but there were at least six hearings in a variety of subcommittees and other meetings regarding this matter before we got organized.

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

Mr. OBEY. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentleman from Wisconsin (Mr. FOSSELL). The gentleman from Wisconsin (Mr. OBEY) has 8 minutes remaining. The gentleman from California (Mr. LEWIS) has 8 minutes remaining.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. SKEETON), the ranking member of the Committee on Armed Services.

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

Mr. Chairman, I will vote in favor of this bill. We cannot let our troops down who are out there on the front line.

Let me wish our new chairman the very best in his maiden voyage through this body on the floor.

Mr. Chairman, I want my colleagues to know that my vote is not a full endorsement of the bill. I am troubled that we continue to resort to supplemental funding our efforts in Iraq and in Afghanistan. I think we can do a better job making sure our troops on the front line have everything they need if we put funding through our operations up front in the fiscal year rather than spending it like we are doing in a supplemental like this.

I also think we should require more rigorous accounting of the war costs. This is important. We need better information to conduct our constitutional duty of oversight. Most important, my reservations have to do with the fact that we still do not have a coherent strategy for success in Iraq.

When I go back home I get questions from my constituents about the war in Iraq and its costs. What is the meaning of war in Iraq? How will we know when we have won and we can leave, especially when for every insurgent we kill there seems to be another to take his place? Are we trying any more to win the hearts and minds of the Iraqi people? If so, when will the Iraqis be ready to take over their own security?

Many in the administration have said they cannot put a timetable on the withdrawal, I agree. We cannot put a timetable on it. But while we should avoid a schedule, we must have a “to do” list. We must set goals for the Iraqi forces. We must be able to measure the progress of those Iraqi forces in attaining those goals.

I voted for the resolution authorizing the use of force in Iraq. I will vote for this bill. We must win in Iraq. But I see no game plan. There is nothing in this bill that forces the administration to level with us and to level with the American people about either the real costs or about our strategy for success. In my opinion this is a missed opportunity.

Mr. Chairman, I urge my colleagues to vote for this bill, but we should all realize it is far from a perfect way of running Operation Iraqi Freedom.

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

Mr. OBEY. Mr. Chairman, how many speakers does the gentleman have remaining?

Mr. LEWIS of California. At this point I see none on the floor.

Mr. OBEY. Mr. Chairman, I am the last remaining speaker on my side. How much time remaining?

The Acting CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has 7½ minutes remaining.

Mr. OBEY. Mr. Chairman, I yield myself 6 minutes and 50 seconds.

Mr. Chairman, I would like to make four points. Information is the life-blood of democracy. If the public does not get sufficient information, they cannot perform their duties in a citizen-based democracy. If this Congress does not get adequate information, it cannot make the right choices in providing checks and balances to any administration.

We have gotten precious little information about the administration’s plans for war before the war. We have gotten precious little information about their plans during the war, and we certainly are getting precious little information from them now.

The full cost of this war is being revealed little by little in the installment plan, and information that the Congress has asked for has not been forthcoming. Example, section 9012 of the 2005 DOD appropriations bill requires, it does not request, it requires the administration as a condition of getting the Pentagon money, it required the administration to give the Congress its best estimate of what our costs would be in the Iraqi war over the next 5 years. They were supposed to have that information by January 1. Last time I looked, we are past January 1. Still no information.

I have already referred previously to the information we have seen in the papers about the activities, the under-the-table classified activities that DOD appears to be engaged in without informing the Congress about those activities. The gentleman from Maryland (Mr. HOYER) referred to oversight responsibilities. I think this Congress has not done a miserable job in meeting its oversight responsibilities on this war. There are notable exceptions. But I do not believe that we have insisted on the information that we need to have in order to meet our responsibilities fully. Well, I certainly do think that we have measured up to our obligation to protect taxpayers’ money.

We tried in full committee to win support for the creation of a Truman-like committee to conduct ongoing investigations of profiteering in Iraq by contractors. We were turned down.

We asked the Committee on Rules to make a similar amendment in order. We were turned down.

This article demonstrates why we need that committee. This appeared in the Washington Post this morning. “Pentagon audit questions Halliburton costs in Iraq. Pentagon auditors found more than $100 million in questionable costs in one section of a massive no-bid Halliburton Company contract for delivering fuel to Iraq according to a summary of their reports released yesterday.” The audit summary written in October 2004 but withheld from public release covers one out of 10 sections from a $2.5 billion contract under which Halliburton was tapped to deliver fuel, fight oil well fires, repair oil well facilities in Iraq after the U.S.-led invasion in the spring of 2003.” And then it goes on to tell the story.

This article alone demonstrates why we need that kind of a committee.

Now, Harry Truman during World War II when he was a member of the Senate conducted over 400 hearings. He issued almost 50 reports. That was a Democratic Congress investigating a Democratic administration and no hearings were done to kill the process. But a lot of taxpayers’ money was protected and a lot of embarrassment were avoided. That is what ought to happen now, but we are being stonewalled by the majority and by the White House on this issue. I hope that changes.

I would also like to simply say with respect to my comments earlier about the Department of Defense appearing to undertake covert activities which in the past have been within the purview of the CIA. I want to read the concluding paragraph from an editorial in the Minnesota Daily which reads as follows:

Human intelligence is a risky business. When missions go awry, the consequences can be far-reaching. One hundred percent oversight assures that spymasters remain accountable for their foul-ups. It might indeed be necessary to give the Pentagon more control over human intelligence but that is a decision Congress should make, not Rumsfeld.

And that is my point. I do not know whether the activities that are being
discussed in the newspapers are wise or not. I have my doubts about some of them. But it seems to me that in the end this is a judgment that needs to be made by elected officials, not an independent agency that feels it is too powerful to listen to anybody else in government.

Mr. Chairman, I will vote for this bill, but I want to make it quite clear, this is the last time we are going to be supporting a bill like this if we do not have adequate oversight and we do not have adequate information on the part of the administration.

I think it is fair to give the administration and the majority parties notice that this is the last time as far as I am concerned unless we get better information. I would urge support for the bill and simply note that it appears that many, many Members of this body who voted to go to war in Iraq are now bill and simply note that it appears to me that this is the last time as far as I am concerned unless we get better information. I would urge support for the bill and simply note that it appears that many, many Members of this body who voted to go to war in Iraq are now planning to support the war which they agreed to support in the first place, I find that position most interesting indeed.

The Acting CHAIRMAN. Does the gentleman from Wisconsin (Mr. OBEY) yield back the balance of his time?

Mr. OBEY. Mr. Chairman, does the gentleman from California (Mr. Lewis) have more than one speaker remaining?

Mr. LEWIS of California. Mr. Chairman, I have no additional speakers. I will make closing remarks on the general debate.

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

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Having no additional speakers under general debate, I would just like to close by saying that the discussion we have had thus far on this very important subject has been very healthy.

The fundamental thrust of this supplemental is to support the troops in Iraq and in the Middle East. We do have funds that involve the terrible tragedy, the tsunami. The discussion will lead to amendments that will round out this debate. I expect it will be a very efficient, hopefully very speedy, debate.

Mr. COX. Mr. Chairman, several provisions in this legislation are of particular interest to the Committee on Homeland Security.

First, this spending bill will be procedurally consolidated with the REAL ID Act, which the House approved 261–161 on February 10, 2005. We cannot effectively fight terrorism if we cannot verify the identity of people boarding airplanes, entering nuclear power plants, visiting the White House, or gaining access to any of the countless places a terrorist could use as a stage to multiply the effect of an attack. Accurate identification of individuals before permitting them access to critical infrastructure is a prerequisite to success.

The act to ensure the integrity of identification documents that can be legally used to access critical infrastructure means that the entire process of checking IDs is deeply flawed. Likewise, the time and effort of every law abiding citizen who waits in seemingly endless lines, first to obtain and then to present identification, is wasted. Document fraud is a crime against all Americans who must tolerate the indignity of life in a post-9/11 world. Why must honest Americans prove who we are, again and again, if terrorists and criminals are free to make a hash of this requirement?

Five weeks ago, the House approved the REAL ID Act, just as we did in the 108th Congress. In so doing, we supported the challenges we stand before us by Mr. Amlal Kansi, who slaughtered five people at CIA headquarters; by Ramzi Yousef, who masterminded the first World Trade Center attack; and by several of the 9/11 hijackers who would have found it far more difficult, if not impossible, to carry out their terror attacks had we prevented them from using false identification.

This spending bill also contains funding to secure our borders. To secure our nation from nuclear attack, the legislation includes $55 million to detect nuclear material at foreign ports. The Inland Port Security Act directs U.S. Customs and Border Protection to interdict illicit traffic in nuclear and other radioactive materials. By surveilling container shipping at high volume, high risk overseas ports, and by deploying radiation detection devices at our own ports of entry, America’s counterterrorism strategy can succeed in a comprehensive defense of the global supply chain.

This bill also provides $38.97 million for the Terrorist Screening Center. This multi-agency homeland security effort is responsible for supporting the Department of Homeland Security’s effort to screen passengers on both domestic and international flights. This funding will help the TSC to handle new requirements, such as the Department of Homeland Security’s Secure Flight Program.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I rise today out of frustration with H.R. 1268, the Emergency Supplemental Wartime Appropriations Act. I support passage of this legislation, as I believe it is absolutely necessary to continue to fund the important activities of our brave men and women fighting the global War on Terrorism.

Our men and women depend on having the necessary equipment and systems to be successful in mission accomplishment. As a Member of the House Armed Services Committee, I am actively involved in efforts, for example, to better protect our troops while they are in harm’s way. With that said, the inclusion of spending projects within this bill that certainly do not qualify as either “emergency” or “wartime” is outrageous.

The issue at hand is not whether or not it is necessary to fund non-defense efforts of our soldiers, for that answer is self-evident. Rather, the question is about our responsibility to spend the American people’s money wisely, and in a manner consistent with the established process. I do not doubt that the non-wartime, non-defense related projects in this bill are worthwhile endeavors. However, the decision to fund these projects should be made during the established appropriations process. Certainly, it is inappropriate for this body to have to consider legislation under the guise of emergency, wartime spending, when in fact, that description is completely honest.

Again, I support this funding legislation as it pertains to the support of our military, and our efforts to protect American citizens, and to promote peace and democracy in the Middle East. However, I do not support the inclusion of unrelated projects within this bill, and find it most unfortunate that Members of Congress are forced to vote on such legislation.

Mr. SALAZAR. Mr. Chairman, I rise today in support of our troops serving overseas and H.R. 1268.

I would first like to recognize Mr. LEWIS, Mr. OBEY and the Appropriations Committee for their work on this bill.

This past weekend, Colorado welcomed home the 143rd Signal Company of the Colorado Army National Guard. We honor the sacrifices these men and women have made and welcome them home.

We must ensure the safety and well being of the brave men and women who are still serving our country overseas. By passing this budget supplemental, we send a message to our troops that, “we support you in your cause to bring freedom and democracy to the world.”

I commend the committee for proposing to increase funding for vehicle armor kits, new trucks and night vision equipment to move and beyond the administration’s request. This money will ensure our troops are safe in the line of fire.

I am also very pleased that H.R. 1268 proposes to increase benefits for military personnel.

For too long, life insurance and death gratuity benefits have not been enough to take care of families who lost a loved one.

I urge my colleagues to support these two important provisions and not allow them to be stripped from the bill.

Although I will be voting for this supplemental, I hope in the future we will not have to vote for supplemental appropriations.

I hope in the future we will vote on the funding of military operations during the budgeting process.

We are dealing with known and fixed costs in this supplemental.

It is time for the Congress to send a message to the Administration that we must include future funding for the war on terrorism in the federal budget.

Mr. Chairman, I urge my colleagues to support our troops and pass H.R. 1268. I yield back the balance of my time.

Mrs. BERKLEY. Mr. Chairman, first, I want to take a moment and commend the gentleman from Texas, Mr. EDWARDS, Ranking Member OBEY, Chairman LEWIS and the Committee on Appropriations for bringing this supplemental appropriation to the floor so quickly. This legislation is extremely important to the lives of servicemembers in Iraq and Afghanistan and their families.

As many of my colleagues know, Las Vegas is home to the Nellis Air Force Base and many of the men and women stationed there have been sent overseas. Over 1,000 Nevada reservists and National Guard members have been called to active duty. I have spoken to the parents and families of our men and women who have fallen in the line of duty and I am acutely aware of family conflicts which are exacerbated by the death of a servicemember.

Therefore, I have serious concerns regarding the application of the Servicemember’s Group Life Insurance (SGLI) spousal consent requirements in section 1113(b) of the emergency supplemental bill. This section requires...
a married servicemember to purchase a particular level of life insurance and to list their spouse as the beneficiary, unless the spouse consents otherwise. At first blush, this prosal sounds great—until you think about it. This “one size fits all” approach could result in the one-time payment of $400,000 to a spouse, at the expense of a servicemember’s wishes and the best interest of his orphaned children.

We must remember that not all married servicemembers have the same types of families and relationships with their spouses.

Imagine a soldier who is married to a man with a serious drug problem. This servicewoman may prefer to name their children as the beneficiaries of her life insurance policy so that in the event of her death, the insurance is spent on he children’s school, clothes, and health care. Not her husband’s cocaine addiction. I do not believe that this woman should have to receive permission from her husband to name her children as the beneficiaries of her life insurance policy and that the government should be forcing her to do so.

Consider a serviceman who has minor children from a prior marriage. He may want his children to receive the monies, instead of his current wife. A man who wants to be responsible and take care of his children in the event of his death, should not be prevented from doing so. But the spousal consent provision in the emergency supplemental may do just that.

Current law allows a servicemember to designate 50% of his life insurance policy to a spouse and the rest to a child. This flexibility has given servicemembers the opportunity to properly take care of their families upon their deaths, no matter what kind of family situation they have.

The Military Officers Association of America originally supported the provision, but now recognizes that the language is excessively stringent. The organization now supports striking the requirement for spousal consent. I would like to insert in the record a letter from MOAA and a similar letter from The Military Coalition.

Mr. Chairman, the potential of this provision to require that a large one time payment be made to the legal spouse of a deceased servicemember have serious ramifications for the servicemember’s children. It needs to be reconsidered in that light. I do not want to delay passage of this important bill, since it contains many important and urgent provisions. I trust that the conference will be able to address this issue in conference.

Military Officers Association of America
March 11, 2005.

Hon. Steve Buyer
Chairman, Committee on Veterans Affairs
House of Representatives, Washington, DC.

Dear Mr. Chairman: On behalf of the 370,000 members of the Military Officers Association of America (MOAA), I am writing to inform you that, after discussing the issue extensively with the Committee’s majority and minority staff, MOAA has reconsidered its position on the Servicemen’s Group Life Insurance (SGLI) spousal consent requirement, as included in the Appropriations Committee’s markup of the FY2005 Defense Supplemental Appropriations Act.

MOAA believes Congress is doing the right thing in expediting passage of improved death benefits coverage in the Supplemental Appropriations Act, and we have no wish to slow that process in any way. Therefore, MOAA is doing its utmost to prevent the spousal consent requirement to allow the Committee to develop more appropriate language that could be offered in conference or another legislative venue.

Sincerely,

Steven P. Strobridge
Colonel, USAF (Ret.)
Director, Government Relations

The Military Coalition

Hon. Lane Evans
Ranking Member, Committee on Veteran’s Affairs, Washington, DC.

Dear Representative Evans: The Military Coalition (MOAA), a consortium of nationally prominent uniformed services and veterans’ organizations, representing more than 5.5 million members plus their families, friends, and survivors, is writing to inform you that, after discussions with the Veterans Affairs Committee’s majority and minority staff, MOAA has reconsidered its position on the Servicemen’s Group Life Insurance (SGLI) spousal consent requirement, as included in the Appropriations Committee’s markup of the FY2005 Defense Supplemental Appropriations Act.

MOAA believes there is merit to the staff’s view that the bill language is excessively stringent and would unfairly preclude servicemembers’ ability to make reasonable insurance decisions—especially in circumstances where it may be reasonable and appropriate for a member to designate children as beneficiaries instead of the current spouse.

MOAA believes Congress is doing the right thing in expediting passage of improved death benefits coverage in the Supplemental Appropriations Act, and we have no wish to slow that process in any way. Therefore, MOAA is doing its utmost to prevent a floor amendment that would either substitute a provision requiring spousal notification (instead of consent) or strike the spousal consent requirement to allow the Committee to develop more appropriate language that could be offered in conference or another legislative venue.

Sincerely,

TMC has reconsidered its position on the FY2005 Defense Supplemental Appropriations Act.}

The Military Coalition

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Sincerely,
Why is this bill being dubbed a tsunami relief effort when the entire Supplemental is over 120 times the amount allocated for the tsunami? What about the six hundred million dollars to build the world’s biggest embassy in Baghdad? What are they building this thing out of—sintered lead? That same amount of money could go towards vital security upgrades at other embassies and consulates around the world.

Why don’t we just make things easier on everyone by throwing this bill out the window and opening up everyone’s bank accounts to the United States Executive Branch? Now that’s privatization.

This isn’t a question of patriotism, nor is it a question of our commitment to helping tsunami victims recover. This is an issue with short and long-term constitutional and budgetary ramifications.

I realize that the Bush Administration feels it would be easier to simply govern without any input or oversight, but the first three Articles of the Constitution suggest otherwise.

I cannot in good conscience support legislation that, for all we know, might pour billions in the pockets of Halliburton while depriving our troops of necessary resources. And I can’t imagine why the United States Congress, led by the Appropriations Committee, is handing a leash to the White House and waiting to be taken for a walk.

Mr. Chairman, I am outraged by this crass attempt to shirk congressional responsibility, and I urge my colleagues to vote against this legislation.

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

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

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has preprinted in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read as follows:

H. R. 1298

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2005, and for other purposes, namely:

TITLE I—DEFENSE-RELATED APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, $11,779,642,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, $534,080,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, $1,251,726,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, $1,473,472,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel, Army”, $40,327,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESERVE PERSONNEL, NAVY

For an additional amount for “Reserve Personnel, Navy”, $11,111,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for “Reserve Personnel, Marine Corps”, $4,115,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESERVE PERSONNEL, AIR FORCE

For an additional amount for “Reserve Personnel, Air Force”, $130,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, $40,300,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, $91,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

NATIONAL GUARD PERSONNEL, MARINE CORPS

For an additional amount for “National Guard Personnel, Marine Corps”, $3,030,801,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, $17,366,604,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, $3,030,801,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, $982,464,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, $5,769,456,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, $3,061,300,000, of which:

(1) not to exceed $25,000,000 may be used for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

(2) the amounts not to exceed $1,229,000,000 available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided under this section, to be used in support of United States military operations, notwithstanding any other provision of law:

Provided, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees:

Provided further, That the Secretary of Defense shall provide quarterly reports to the Committees on Appropriations on the use of funds provided in this paragraph:

Provided further, That such payments may be made under this section:

Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

AMENDMENT OFFERED BY MR. TIERNEY

Mr. TIERNEY. Mr. Chairman, I offer an amendment. Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the gentleman’s amendment.

The Clerk read as follows:

Amendment offered by Mr. TIERNEY:

Page 7, after line 10, insert the following new title:

TITLE VII—ESTABLISHMENT OF SELECT COMMITTEE TO INVESTIGATE THE AWARDING AND CARRYING OUT OF CONTRACTS TO CONDUCT ACTIVITIES IN AFGHANISTAN AND IRAQ AND TO FIGHT THE WAR ON TERRORISM

MEMBERSHIP AND FUNCTIONS

S. 701. The select committee is to be composed of 15 Members of the House, to be appointed by the Speaker (of whom 7 shall be appointed upon the recommendation of the minority leader), one of whom shall be designated as chairman from the majority party and one of whom shall be designated ranking minority member from the majority party vacancy occurring in the membership of the select committee shall be filled in the same manner as provided in the Standing Rules of the House.
manner in which the original appointment was made. The select committee shall conduct an ongoing study and investigation of the awarding and carrying out of contracts by both the executive and legislative branches of the Government, and to fight the war on terrorism and make such recommendations to the House as the select committee deems appropriate regarding the following matters:

(1) bidding, contracting, and auditing standards in the issuance of Government contracts;
(2) oversight procedures;
(3) forms of payment and safeguards against money laundering;
(4) accountable and responsible contractors and Government officials involved in procurement;
(5) penalties for violations of law and abuses in the awarding and carrying out of Government contracts;
(6) subcontracting under large, comprehensive contracts;
(7) inclusion and utilization of small businesses, through subcontracts or otherwise; and
(8) other such matters as the select committee deems appropriate.

SECOND CONSIDERATION

SEC. 702. (a) QUORUM.—One-third of the members of the select committee shall constitute a quorum for the transaction of business except for the reporting of the results of its study and investigation (with its recommendations) or the authorization of subpoenas, which shall require a majority of the members of the committee to be actually present, except that the select committee may designate a lesser number, but not less than two, as a quorum for the purpose of holding hearings to take testimony and receive evidence.

(b) DEPARTMENTAL ASSISTANCE.—The purpose of this study and investigation, as set forth in this title, the select committee may sit and act during the present Congress at any time and place within the United States or elsewhere, whether the House is in session, has recessed, or has adjourned and hold such hearings as it considers necessary and to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, and other things and information of any kind as it deems necessary, including classified materials.

(c) AUTHORIZATION OF SUBPOENAS.—A subpoena may be authorized and issued by the select committee in the conduct of any investigation or series of investigations or activities, only by a majority of the members voting, a majority being present. Authorized subpoenas shall be signed by the chairman or by any member designated by the select committee, and may be served by any person designated by the chairman or such member. Subpoenas shall be issued under the seal of the House and attested by the Clerk of the Committee. The Committee may request investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the Government.

(d) MEETINGS.—The chairman, or in his absence a member designated by the chairman, shall preside at all meetings and hearings of the select committee. All meetings and hearings of the select committee shall be conducted in open session, unless a majority of members of the select committee voting, present in attendance the requisite number required for the purpose of hearings to take testimony, vote to close a meeting or hearing.

(e) APPLICABILITY OF RULES OF THE HOUSE.—The Rules of the House of Representatives applicable to standing committees shall govern the select committee where not inconsistent with this title.

(f) WRITTEN COMMITTEE RULES.—The select committee shall adopt additional written rules, which shall govern the conduct of members and procedures, which shall not be inconsistent with this title or the Rules of the House of Representatives.

ADMINISTRATIVE PROVISIONS

SEC. 703. (a) APPOINTMENT OF STAFF.—The select committee staff shall be appointed, and may be removed, by the chairman and shall work under the general supervision and direction of the chairman.

(b) POWERS OF RANKING MINORITY MEMBER.—All staff provided to the minority party members of the select committee shall be appointed, removed, and supervised by the ranking minority member of the committee, and shall work under the general supervision and direction of such member.

(c) COMPENSATION.—The chairman shall fix the compensation of all staff of the select committee, after consultation with the ranking minority member regarding any minor salary adjustments.

(d) REIMBURSEMENT OF EXPENSES.—The select committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of their functions for the select committee.

(e) PAYMENT OF EXPENSES.—There shall be paid out of the applicable accounts of the House such sums as may be necessary for the expenses of the select committee. Such payments may be made on vouchers signed by the chairman of the select committee and approved in the manner directed by the Committee on House Administration. Amounts to be expended under this subsection shall be expended in accordance with regulations prescribed by the Committee on House Administration.

REPORTS

SEC. 704. The select committee shall from time to time report to the House the results of its study and investigation, with its recommendations. Any report made by the select committee shall be referred to the committee or committees to which authority has been granted by law to consider or report on the subject matter of the report.

Mr. TIERNEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. TIERNEY. Mr. Chairman, my amendment mirrors in most respects a bipartisan bill that has been filed by the gentleman from Iowa (Mr. LEACH) and me.

It establishes a select committee of the House to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight terrorism.

The select committee is to be composed of 15 Members of the House, appointed by the Speaker, with seven being made upon the recommendation of the minority leader.

The select committee will make such recommendations to the House as it deems appropriate regarding the bidding, contracting, and auditing standards in the issuance of Government contracts; oversight procedures; forms of payment and safeguards against money laundering; accountability of contractors and Government officials involved in procurement; penalties for violations of law and abuses in the awarding and carrying out of Government contracts; subcontracting under large, comprehensive contracts; inclusion and utilization of small businesses through subcontracts or otherwise; and such other matters as the select committee deems appropriate.

Mr. Chairman, according to the Congressional Research Service, the $81.9 billion that is before us today in the supplemental appropriations bill is in addition to the approximately $230 billion that has been spent so far since the 9/11/2001 attacks on combat operations, on the occupation and on the support of military personnel deployed or supporting operations in Iraq and Afghanistan.

Congress has recognized that we must meet our operational, technical, and equipment needs of our troops; and we should acknowledge that the funds for those purposes, particularly those for the safety of our troops, remains paramount. But when it comes to ensuring that the funds are properly managed and monitored, we have been largely silent. Horror stories abound. We just heard some by the gentleman from Wisconsin (Mr. OBEY) as he was talking on yesterday’s news about Halliburton, and there is ample cause to carefully scrutinize the procurement process.

Just in January, the special Inspector General for the Iraqi reconstruction reported that the Coalition Provisional Authority, CPA, could not account for $8.8 billion. The report said: “Severe inefficiencies and poor management by the CPA have left auditors with no guarantees the money would be properly used.” That same report indicated that auditors were unable to verify that the money for which they can account was spent for the intended purposes.

The report raises the possibility of so-called “ghost” employees, citing 8,206 guards identified as on the payroll at one ministry, although only 602 could be verified. At another ministry, payroll listed 1,471 security guards when only 642 were working.

The author for the House International Studies analysis, which was cited in an October 6 Washington Post story, indicated that as little as 27 cents of every dollar spent in the Iraqi reconstruction is actually filtered down to projects that benefit Iraqis.

According to the testimony of Steve Ellis of the Taxpayers for Common Sense, who was citing a KPMG study, the Commander’s Emergency Response Program, which is in effect a program designed to allow United States military officers to quickly fund small reconstruction projects, maintained little documentation of how taxpayers’ dollars were spent.
The study found that 42 cases were worth $13 million where there were no contracts on file, and for 142 cases totaling $40 million where there was no proof that the work was even done.

Quoting former Coalition Provisional Authority official Frank Willis, The Washington Post told us of how the United States officials in post-war Iraq paid a contractor by stuffing $2 million worth of crisp bills into his gunny sack and routinely making cash payments around Baghdad in a pickup truck. Even if we accept one Member’s argument that this was because there were no normal payment procedures, it certainly cries out for better monitoring and better oversight.

We all may have substantive differences about the merits of the military policy, but there should be unanimous agreement about the congressional role in ensuring that our constitutional responsibilities are done as quickly as possible and get the right answers.

The Truman Commission was established at a time that Senator Truman was very concerned that a very small number of contracts were let to a very small number of companies in a very narrow part of the country. He was very concerned about American manufacturing being held by too few in a contract sense. Now we are looking at services where it looks like a very small number of companies have gotten very large contracts. It is a situation that we need to look at.

Mr. LEACH. Does the gentleman from Massachusetts (Mr. TIERNEY) referenced, it is very impressive that that commission was established by the party in power at the time, and so it was the party in power that wanted to look at itself.

Secondly, as we think back to the Truman Commission, I want the gentleman from Massachusetts (Mr. TIERNEY) I reintroduced it in this Congress.

Thirdly, the Truman Commission was established at a time that Senator Truman was very concerned that a very small number of contracts were let to a very small number of companies in a very narrow part of the country. He was very concerned about American manufacturing being held by too few in a contract sense. Now we are looking at services where it looks like a very small number of companies have gotten very large contracts. It is a situation that we need to look at.

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Mr. TIERNEY. I reintroduced it in this Congress.

Mr. LEACH. I yield to the gentleman from Massachusetts (Mr. TIERNEY) referenced, it is very impressive that that commission was established by the party in power at the time, and so it was the party in power that wanted to look at itself.

I personally believe that the only way you can maintain a support for national policies is to have complete confidence that things are being pursued in the most honest way possible.

I think the time has come for this type of approach. I would hope this Congress would look at it.

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

Mr. LEACH. I yield to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. KOLBE. Mr. Chairman, I want to clarify one point. The Truman Act from Massachusetts made about the $2.8 billion, and I just think we Members need to understand we are talking about funds that came not from the United States taxpayers, but those $8.8 billion are funds from the Iraq fund, which was Iraqi dinars that had been collected as a result of oil sales. It was a chaotic situation at the end of the war, as we all know, and ministries had collapsed. There was no communication. There were no accounting. The bureaucrats had not functioned for years. It was very difficult, at the very best, to know how to handle those in the very best way.

It was really a choice of whether or not we were going to get the projects done quickly as possible and get the country functioning again. So I think, to me, the choice was fairly clear.

I just want to make people understand we are not talking about U.S. dollars when we talk about the $8.8 billion.

Mr. TIERNEY. Mr. Chairman, I thank the Chairman.

Mr. MCDERMOTT. Mr. Chairman, we know the right questions to ask: about Iraq, the budget, waste, fraud and abuse by contractors including Halliburton. After seeing scenes from an Iraqi prison, we know what we don’t know. What are we going to do about all this?

We know the right questions to ask, but we also know these questions will not be answered until we reach back into recent history and institute an independent, bi-partisan internal watchdog.

In the 1940s, the Truman Committee saved the government and the American people $15 billion dollars. They asked the right questions and were empowered to get the answers. The American people got what they paid for and someone made sure of it. There was truth in government. There was trust in government.

We don’t have that kind of faith, confidence, or oversight anymore. Instead of scrutiny, there is subterfuge.

Just a minute ago. Mr. Lewis of California (Mr. LEWIS) and I, as Members of the House Oversight and Government Reform Committee that the gentleman Chairman.

Mr. LEWIS. Mr. Chairman, I move to reserve a point of order.

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

Out of deference to the chairman, I will be very brief, but I want to thank the gentleman from Massachusetts (Mr. TIERNEY) for raising this at this time; and he has done a wonderful job in leading this effort.

I would just like to stress the dual dimension of bipartisan of this amendment.

One, its legislative approach was introduced in the last Congress, and with the gentleman from Massachusetts (Mr. TIERNEY) I reintroduced it in this Congress.

Secondly, as we think back to the Truman Commission, I want the gentleman from Massachusetts (Mr. TIERNEY) referenced, it is very impressive that that commission was established by the party in power at the time, and so it was the party in power that wanted to look at itself.

Thirdly, the Truman Commission was established at a time that Senator Truman was very concerned that a very small number of contracts were let to a very small number of companies in a very narrow part of the country. He was very concerned about American manufacturing being held by too few in a contract sense. Now we are looking at services where it looks like a very small number of companies have gotten very large contracts.

Mr. TIERNEY. I reintroduced it in this Congress.

Mr. LEACH. I yield to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. KOLBE. Mr. Chairman, I just want to clarify one point. The Truman Act from Massachusetts made about the $2.8 billion, and I just think we Members need to understand we are talking about funds that came not from the United States taxpayers, but those $8.8 billion are funds from the Iraq fund, which was Iraqi dinars that had been collected as a result of oil sales. It was a chaotic situation at the end of the war, as we all know, and ministries had collapsed. There was no communication. There were no accounting. The bureaucrats had not functioned for years. It was very difficult, at the very best, to know how to handle those in the very best way.

It was really a choice of whether or not we were going to get the projects done quickly as possible and get the country functioning again. So I think, to me, the choice was fairly clear.

I just want to make people understand we are not talking about U.S. dollars when we talk about the $8.8 billion.

Mr. TIERNEY. Mr. Chairman, I thank the Chairman.
March 15, 2005

If not, the Chair finds that this provision includes language imparting direction to an executive official. The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

**AMENDMENT OFFERED BY MR. TIERNEY**

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

The Clerk reads as follows: Amendment offered by Mr. TIERNEY: On page 8, line 7, after the dollar figure $500,000,000 insert $5,000,000,000.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

Mr. TIERNEY. Mr. Chairman, this amendment adds $5 billion to the operation and maintenance defense-wide account.

The Secretary of Defense, using existing transfer authority, may transfer money to the legislative branch for the purpose of establishing a select committee, in essence along the outlines of the amendment that I just reviewed moments ago, and I will not labor that point by going over all of that information, except to say that it would be a select committee for the purpose of investigating contracts and related materials with respect to things being spent in Iraq and Afghanistan and the issue of terrorism.

As I mentioned earlier, this is and should be a bipartisan effort. I think the gentleman from Iowa (Mr. LEACH) should be commended for his leadership on this and for pointing out the fact that, in fact, when Harry Truman did it years ago, he was a Democrat and the President was a Democrat, and he still found it the patriotic and judicious thing to do with respect to the responsibilities of the House of Representatives; and if we are to maintain the integrity of this Congress and our responsibility of oversight of such huge sums of money, it would be the appropriate thing for us to do now in a bipartisan way.

Critics may say that there is no need to create a select committee when Congress has standing committees to perform this role. Regrettably, those standing committees have not done that, not exercised their institutional responsibilities to the extent they could in this particular Congress.

Mr. TIERNEY. Mr. Chairman, there is certainly a need with the billions and billions of dollars being spent. The gentleman from California (Mr. WAXMAN) has been vocal about his attention to this matter. The gentleman from Wisconsin (Mr. OBEY) spoke earlier about the $100 million found in contracts that were questioned just yesterday, and the fact that report was kept from us at a time when our taxpayers and our constituents and our citizenry want to know about these enormous sums of money, and want us to do our job. There is a need. We in Congress have a responsibility. The institution's integrity is at stake. We are the American taxpayer and our troops deserve it. They deserve no less.

Mr. TIERNEY. Mr. Chairman, I rise in opposition to the amendment in no small part because essentially the Tierney amendment would be changing the rules of the House. That is above the purview of the Committee on Appropriations, at least of this chairman of the Committee on Appropriations. Because of that, I would oppose the amendment.

Mr. Chairman, I withdraw my point of order.

The Acting CHAIRMAN (Mr. TERRY). The point of order is withdrawn.

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

Mr. Chairman, I rise to support the gentleman's amendment. As the gentleman has made quite clear, this is his second choice. He would prefer to offer an amendment which directly establishes a Truman-like committee to investigate profiteering in Iraq. The fact is that the majority has chosen to use the technicalities of the rules to prevent that from occurring. Given the fact that they have done that, the gentleman's only choice is to proceed in the manner he has proceeded in the amendment he has just offered.

It seems to me that the purpose of the amendment is clear. The purpose is to see to it that a committee is formed which will have as its sole responsibility the reviewing of the use and misuse of taxpayer funds in Iraq. This bill appropriates over $80 billion of taxpayer money. I think the taxpayers, many of whom have substantial doubt, not just about the war but about the conduct of some of the contractors during and after the war, I think the taxpayers would like to know that if we are going into their pockets for an additional $80 billion today, at least we are doing the best possible. Ensuring that that $80 billion is spent in accordance with the law and is spent in accordance with good judgment.

I, for the life of me, do not understand what the problem is with the gentleman's efforts. It seems to me if this Congress is looking for ways to achieve the maximum support for the administration's policy, they would certainly support efforts to see to it that that policy is being conducted in such a manner that it is not eventually brought to the President, to this Congress and to our effort in the country and in the region.

Mr. Chairman, I rise today in support of the bipartisan amendment offered by the gentleman from Massachusetts (Mr. TIERNEY) and the gentleman from Iowa (Mr. LEACH). I support this amendment because it addresses an issue that is of paramount importance to the people in my district and I think across the country, supporting our troops while being fiscally responsible.

I recently returned from Iraq and a bipartisan delegation led by the gentleman from Oklahoma (Mr. COLE). My visit convinced me that the reestablishment of the Truman committee is the right thing for our troops, for the taxpayers and for our country. The original Truman committee was a special committee formed on March 1, 1941, to investigate the national defense program. It was chaired by Missouri's U.S. Senator at that time, Harry Truman.

Its specific directive was to investigate the terms of defense-related contracts, the methods by which contracts are let, the effect on labor and the geographic distribution of contracts and facilities. During World War II, the committee's principal concern was to monitor and improve production programs and contract procedures.

Its work resulted in the discovery and exposure of waste and mismanagement in the wartime production program. By convening public hearings at that time and receiving testimony and studying this issue, the Truman commission is estimated to have saved American taxpayers $15 billion.

Similarly today, we owe it to our troops to carefully watch how we are funding the Iraq initiative. It is our responsibility to ensure that every man and woman in uniform has the necessary equipment to do the job with the best possible support.

We have an obligation to every troop that no appropriated money is misspent or wasted. While the morale of our troops is high and their optimism apparent after the recent elections in Iraq, it is imperative that we do everything in our power to ensure that they are brought home as quickly and as safely as possible while providing the best possible support.

I strongly support this amendment for the funding of the Truman committee.

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

Mr. Chairman, I rise in support of this amendment which is offered by the gentleman from Massachusetts (Mr.
This is a strong amendment that adds a modest amount of funding for an important function, the function of creating a select committee to investigate the award and carrying out of contracts as it relates to Iraq and Afghanistan.

Mr. Chairman, we are at war. Taxpayers are looking to Congress to spend their money wisely and well. This is an issue that is rich in history. As my colleague from Missouri pointed out, this is not the first time this has been done. This was modeled after the committee created by then-Senator Harry Truman back in 1941, known as the Special Committee to Investigate the National Defense Program. This committee was bipartisan, and I might point out it was created by a Congress controlled by the same party with the same party in control at the White House. That is the situation today, and that is why I would be well served by a bipartisan committee to do just this.

We have seen reports in the news media of contract abuse, and I think a committee such as this would help tremendously. We could benefit from a similar oversight as we had in Truman's day today. Outstanding committees like the Committee on Armed Services, on which I am privileged to serve, have looked at some issues relating to contracting in Iraq and Afghanistan.

We have an extraordinary set of mandates at a time of war. At the same time, there is a significant amount of money in contracting in both those countries. We would benefit from a select committee to review the contracting process, and most of all, the accountability of the contractors. I thank the gentleman from Massachusetts (Mr. TIERNEY) and the gentleman from Iowa (Mr. LEACH) for their foresight and the passage of this amendment.

Ms. KAPTUR. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I rise to oppose the amendment. And I think we ought to get rid of this amendment and get on with the rest of the business on the floor.

Mr. MURTHA. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I rise in strong support of the Tierney amendment. This is a lot of money we are talking about. As the late Everett Dirksen said, a billion here, a billion there, pretty soon you have got some real money.

We are talking about $200 billion. And we all support our warfighters. We support our men and women in uniform, but we should not throw money at any problem. And all this amendment asks is that we copy the Truman Commission where a Democratic Senator investigated a Democratic President. This should not be a partisan issue at all. Both parties should unite.

And I congratulate the gentleman from Iowa (Mr. LEACH) for this strong work in this worthy effort. Republicans should want a real-time bipartisan look at what is really going on.

I had the good fortune of being in Baghdad last Christmas. Our C-130 was so slow we spent the whole time at the Baghdad airport. A shipment came in that our military did not want us to see. But I had my video camera handy, and I took pictures. What was it? Six large pallets, off-loaded from U.S. aircraft, beautifully packaged, very handy, and I took pictures. What was it? Six large pallets, off-loaded from U.S. aircraft, beautifully packaged, very heavy to lift. What was it? Six large pallets, off-loaded from U.S. aircraft, beautifully packaged, very heavy to lift.

I heard another reference on the radio this morning that Iraq is going to be a generational commitment like World War II was. If we are going to spend that kind of money, we ought not to make doggone sure that every dollar is properly accounted for.

I was pretty upset when I saw big boxes of big stacks of money being handed out on the streets over there. I asked one of the top generals the other day if we are paying for the training of the Iraqi National Guard and those troops that are supposed to replace our troops. He said, no, Congresswoman, someone else is paying for that. I am very upset about the fact that Congresswoman, someone else is paying for that. I am very upset about the fact that Congresswoman, someone else is paying for that. I am very upset about the fact that Congresswoman, someone else is paying for that.

I say congratulations to the gentleman from Massachusetts (Mr. TIERNEY), who has an uphill struggle here. But he is doing what is right for America in order to make sure that we are responsible to the taxpayer and accountable for every single dollar being expended. Please support the Tierney amendment.
see 300 million in U.S. cash being flown out of the country, allegedly to buy arms for the good guys, you have got to wonder. All we are asking for here is accountability.

And I want to pay special tribute to my friend, the gentleman from California (Mr. THOMPSON), a leading member of the Blue Dog Coalition. What we want is accountability. We are fiscal and defense hawks, but we need to know where the money goes. The taxpayers of this country deserve no less. This is as far from a partisan issue as you can get. All we want is accountability because catching fraud, waste, and abuse is the most bipartisan of issues. So I congratulate my friend, the gentleman from California (Mr. THOMPSON), also the gentleman from Massachusetts (Mr. TIERNEY). This needs to be in the bill because these supplemental, they are becoming a habit, guys. Every year we are going to have a major supplemental. And it is high time that we find out where the money went. Support the Tierney amendment.

The Acting CHAIRMAN (Mr. TERRY). The question is on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY). The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. TIERNEY. 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 (Mr. TIERNEY) will be postponed.

AMENDMENT OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. WOOLSEY:

Page 3, line 10, after the dollar amount, insert the following: "(increased by $30,000,000)."

Page 3, line 16, after the dollar amount, insert the following: "(increased by $31,000,000)."

Page 3, line 22, after the dollar amount, insert the following: "(increased by $31,000,000)."

Page 4, line 5, after the dollar amount, insert the following: "(increased by $31,000,000)."

Page 4, line 11, after the dollar amount, insert the following: "(increased by $31,000,000)."

Page 4, line 18, after the dollar amount, insert the following: "(increased by $31,000,000)."

Page 51, line 6, after the dollar amount, insert the following: "(reduced by $24,100,000)."

Page 51, line 13, after the dollar amount, insert the following: "(reduced by $2,800,000)."

Page 51, line 20, after the dollar amount, insert the following: "(reduced by $30,000,000)."

Page 52, line 3, after the dollar amount, insert the following: "(reduced by $29,150,000)."

Ms. WOOLSEY. Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

The Acting CHAIRMAN. Is there objection to returning to that portion of the bill?

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I rise to offer an amendment to H.R. 1268, the $81 billion supplemental appropriations bill before the House today, that will continue to fund the President's misadventure in Iraq. My amendment would cut funds that should never have made it into the supplemental in the first place, millions of dollars to finance the regular operations of the Department of Defense, which should be paid for through normal defense budget negotiations, not through a supplemental spending bill that does not even count towards the President's incredible budget deficit.

Once again, by funding the war through another supplemental, the Bush administration is pulling a fast one on the budget and on the American people.

My amendment would take $186 million from DOD's operations and management, money that is funded every year in the defense appropriations bill, and split the $186 million evenly between the National Guard and Reserve components of our National Guard and Reserve components. If we are going to spend billions, let us at least spend billions on the people who deserve it, the brave troops in the field, and especially members of the National Guard and Reserve who are receiving less for their sacrifices. It is time we honor their commitment and that of their families by providing them with the resources they need and deserve.

Mr. MURTHA. Mr. Chairman, I rise in opposition to the amendment.

Ms. WOOLSEY. Mr. Chairman, I rise to withdraw this amendment. This is a very important amendment. I see what she is trying to do here. But the regular forces are just as short. As a matter of fact, this bill actually does provide enough money for the regular forces.

I just visited three bases. All three bases were short in O&M money. They were short in almost every category. So I wish the gentlewoman would withdraw her amendment. We will take a look in the conference to see if the National Guard needs more O&M money, and we will see what we can do.

Ms. WOOLSEY. Mr. Chairman, I will withdraw my amendment. I hope that my message has been heard. I thank the Chair for letting me speak out of order.

The Acting CHAIRMAN (Mr. TERRY). Without objection, the amendment is withdrawn.
There was no objection.

AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moran of Virginia:

Page 6, line 7, after the dollar amount, insert the following: "(reduced by $1,000,000) (increased by $1,000,000)"

Mr. Moran of Virginia (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. Moran of Virginia. Mr. Chairman, this amendment is based upon two facts that I think we agree on on both sides of the aisle. One was very articulately expressed by the chairman of the Appropriations Committee earlier today when he asserted the fact that we are a coequal branch of government. We are equally responsible for what military activity we engage in. We will be held equally accountable. The fact that we hold the purse strings makes it incumbent upon us that we have some expectation of how much a war is going to cost, how we can budget for it, and particularly what measurable criteria are we seeking to enable us to complete our mission.

The second fact is one that has been expressed time and again, particularly by our senior military officers, that we ought not engage in military activity, that we ought not to go to war without a plan to win the peace. That is what this amendment addresses. It would give nominal resources to the Secretary of Defense to be able to give us the kind of information that we need to work with the executive branch to evaluate what we are doing in terms of succeeding in our mission in Iraq.

For example, what level of physical infrastructure reconstruction does the administration feel is necessary for the Iraqi economy to be viable? We have invested billions of dollars in reconstruction. How much more might be necessary?

In terms of political stability, are we waiting for ratification of the constitution and then a subsequent election? And if that election goes well, will that mean that we can gradually begin completing our mission at least in terms of the proportion of the troops that are currently committed?

And, particularly, what level of Iraqi security forces will be necessary? We have been given wildly varying numbers, 40,000 to 160,000 to over 200,000. What does it mean for Iraqi security forces to be adequately trained and equipped? Does it mean a 6-week training course in human rights, which some have suggested meant that they could be considered security forces, or does it mean the kind of intensive training for many months that is comparable to what we give our troops so that they can engage in battle and can show leadership in the face of military confrontation? Those are things we need to discuss further.

What we want are the measurable criteria. It is not an unreasonable expectation. And when we pass a supplemental that contains $600 million for a new embassy that maintains our substation in Baghdad, we must make sure we do not give any credence to our enemies who, in Secretary Rumsfeld’s expression, seem to be able to recruit insurgents greater in number than we could ever possibly kill. They are able to do so by accusing us of being permanent occupiers, thereby denying Iraqis of true sovereignty over their own country.

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

Mr. Moran of Virginia. I yield to the gentleman from Pennsylvania.

Mr. Murtha. Mr. Chairman, I think the gentleman has good criteria for success, and the chairman and I have talked about this, and I think he has got a good point on some.

Mr. Lewis of California. Mr. Chairman, will the gentleman yield?

Mr. Moran of Virginia. I yield to the gentleman from California.

Mr. Lewis of California. Mr. Chairman, I do not want to extend this conversation for too much longer. I think it is an amendment that we can accept. I think it is the amendment that takes out $1 million and puts $1 million back in. I am very happy with that.

Mr. Moran of Virginia. Mr. Chairman, reclaiming my time, it would remain in the bill that the administration would have to detail and share with us what is their strategy for success.

Mr. Lewis of California. Of course.

The Acting CHAIRMAN (Mr. Terry). The question is on the amendment offered by the gentleman from Virginia (Mr. Moran).

The amendment was agreed to.

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

Yesterday I went before the Committee on Rules and offered four amendments to this supplemental appropriation bill. I rarely offer more than one or two amendments, and I understand these amendments will be subject to a point of order. However, the issues that these amendments address need to be raised.

First, I want to say thanks to the gentleman from California (Mr. Lewis), the gentleman from Wisconsin (Mr. Oseby), the gentleman from Pennsylvania (Mr. Murtha), and the gentleman from Florida (Mr. Young) for putting together this bill and for their hard work. I am pleased that this bill incorporates increased benefits and subsidized life insurance benefits for families of soldiers who have died while on active duty. However, there is still more that needs to be done for our troops and their families.

While the troops who are deployed face the horrors of war abroad, far too many of their families face tremendous struggles to make ends meet here at home.

As a symbol of our appreciation for their bravery and sacrifice, I believe Congress should grant a one-time $1,500 bonus to our servicemen and women deployed under Operation Iraqi Freedom and Operation Enduring Freedom. This is the same amendment I offered on the last Iraq supplemental bill.

Not since Vietnam has such a large number of our troops had such long deployments, especially our National Guard and Reservists, who make up approximately 40 percent of the fighting force in Iraq. Forty-nine percent of the married Guard members and Reservists who report to duty have lost more than $1,000 a month from their civilian jobs. According to USA CARES, requests have been coming in from military families. Twenty-four percent of them are asking for help to pay the utility bills, 30 percent are asking for help for housing, and 70 percent request money for food. Members of Congress may have differing ideas about U.S. involvement in Iraq, but we can all agree that our servicemen and women deserve our severe recognition for their courageous effort. In the coming years, thousands of our young men and women will not see their families. Members of Reservists and Guardsmen and women will put their private sector jobs and opportunities on hold, and thousands of children from every part of America will pray for their parents’ safe return. Give our troops the $1,500 bonus they deserve.

The second amendment I would have offered ensures that the U.S. citizens who were prisoners of war in the first Gulf War, 1991, receive the court-awarded compensation that is due to them. Currently, this administration is fighting former American prisoners of war in court, trying to prevent them from collecting nearly $1 billion from frozen Iraqi assets that a Federal judge awarded them as compensation for torture at the hands of Saddam Hussein’s regime. Many of these POWs were tortured in the same prison, Abu Ghraib, where American soldiers allegedly abused Iraqis. Those Iraqi victims, according to this amendment, deserve compensation from the United States. Why then are our own brave men and women not being compensated for their suffering using the Iraqi assets that the U.S. has already frozen? These Americans must now fight its own government for compensation legally due them.

It is imperative that we make sure our 1991 Gulf War POWs are fully compensated. My proposal would ensure that any money expended under this Act, our American troops who were victims of torture and hostage taking, receive the compensation courts have already awarded them from frozen
Iraqi assets. It does not take an act of Congress to do this. All it does take is a compassionate President to release those assets.

Lastly, I also went to the Committee on Rules to offer two amendments that deal with the U.S. helicopter industry. The first allows for $15 million in assistance to small domestic helicopter manufacturers who produce helicopters with not less than 60 percent U.S. content so they can compete with foreign-made, foreign-subsidized and foreign- owned helicopter manufacturers. The second amendment reinstates the Buy American provision requiring at least 50 percent American content in government purchases of civilian aircraft. Over the past 20 years, the helicopter industry in the United States has dwindled due to competition from the foreign helicopter industry which receives government funding for product development. It has become increasingly difficult for the U.S. helicopter industry to compete with heavily subsidized foreign competition. The end result is a blow to the U.S. economy and our workers.

In my district Enstrom Helicopter Corporation recently lost a bid to Eurocopter to build 55 helicopters for the U.S. Customs and Border Patrol. This contract came with the expense of American companies and American workers. This contract not only hurt the workers in my district but also 44 other States that supply parts and services to the helicopter industry. My amendment would provide financial support for the U.S. helicopter industry to try to level the playing field, while also reinstating the Buy American provisions.

I have been informed that these amendments will not be made in order; therefore, I offer them for inclusion in the H.R. 1459 report and for the RECORD an article from the LA Times dated February 15.

[From the Los Angeles Times, Feb. 15, 2005]

WHITAGE TWINS TAILS ON FORMER AMERICAN POWS
(By David G. Savage)

WASHINGTON—The latest chapter in the legal history of torture is being written by American pilots who were beaten and abused by Iraqis during the 1991 Persian Gulf War. And it has taken a strange twist.

The Bush administration is fighting the former prisoners of war in court, trying to prevent them from collecting nearly $1 billion from Iraq that a federal judge awarded them as compensation for their torture at the hands of Saddam Hussein’s regime.

The POWs’ journey through the court system began with the events of Jan. 17, 1991—the first day of the Gulf War. In response to Hussein’s invasion of Kuwait five months earlier, the United States, as head of a United Nations coalition, launched an air attack on Iraq’s air defenses and its ground forces from the oil-rich Gulf state. On the first day of the fighting, a jet piloted by Marine Corps Lt. Col. Clifford Acree was downed over Iraq by a surface-to-air missile. He suffered a neck injury ejecting from the plane and was soon taken prisoner by the Iraqis. Blindfolded and handcuffed, he was beaten until he lost consciousness. His nose was broken, his skull was fractured, and he was threatened with having his fingers cut off. He lost 30 pounds during his 47 days of captivity.

Eberly was shot down two days later and 45 pounds during his ordeal. He and several other U.S. service members were near starvation when they were freed. Other POWs who were similarly treated were urinated on during their captivity at Abu Ghraib.

"It seems so strange to have our own country fighting us on this," said retired Air Force Col. David W. Eberly, the senior officer among the former POWs.

The case has now appealed to the U.S. Supreme Court, tests whether “state sponsors of terrorism” can be sued in the U.S. courts for torture, murder or hostage-taking. The court is expected to rule in the next two months whether to hear the appeal.

Congress opened the door to such claims in 1980, when it lifted the shield of sovereign immunity that shields them from being sued. But in the Anti-Terrorism Act of 1996, Congress authorized U.S. courts to award money damages against a foreign state for personal injury or death that was caused by an act of torture, extrajudicial killing, aircraft sabotage or hostage taking.

'"U.S. policy says we will hold terror nations accountable for the torture of Americans and to deter rogue nations from engaging in such actions in the future," Sens. Susan Collins (R-Maine) and George Allen (R-Va.) said last year in a letter to Atty. Gen. John Ashcroft that urged him to support the POWs’ claim.

On March 15, 2005, the judge handed down a long opinion that the described abuse suffered by the Gulf War POWs, and he awarded them $653 million in compensatory damages. He also assessed $306 million in punitive damages against Iraq. Lawyers for the POWs asked him to put a hold on some of Iraq’s frozen assets.

No sooner had the POWs celebrated their victory than they came up against a new roadblock: Bush administration lawyers argued that the case should be thrown out of court on the grounds that Bush had voided any such claims against Iraq, which was now under U.S. occupation. The administration lawyers based their argument on language in an emergency bill, passed shortly after the U.S. invasion of Iraq, approving the expenditure of $30 billion for military operations and reconstruction efforts. One clause in the legislation authorized the president to suspend the sanctions against Iraq that had been imposed for its sponsorship of terrorism and to set aside pending monetary judgments against Iraq.

When the POWs’ case went before the U.S. Court of Appeals for the District of Columbia Circuit, the three-judge panel ruled unanimously for the Bush administration and threw out the lawsuit.

“The United States possesses weighty foreign policy interests that are clearly threatened by the entry of judgment for [the POWs’] in this case,” the appeals court said. The case was in danger of being killed by a congressional resolution supporting the POWs’ suit. “U.S. courts no longer have jurisdiction to hear cases such as those filed by the Gulf War POWs,” then-Deputy Secretary of State Richard L. Armitage said in a letter to lawmakers. “Moreover, the president has ordered the wrecking of billions of Iraqi assets for use by the Iraqi people and for reconstruction.”

Already frustrated by the turn of events, the former POWs were heartened when Attorney General John Ashcroft and Rumsfeld said he favored awarding compensation to the Iraqi prisoners who were abused by the U.S. military at Abu Ghraib.

Exploring a way to provide appropriate compensation to those detainees who suffered grievous and brutal abuse and cruelty...
at the hands of a few members of the U.S. military. It is the right thing to do," Rumsfeld told a Senate committee last year.

By contrast, the government's lawyers have refused to even discuss a settlement in the POWs’ case, say lawyers for the Gulf War veterans. “They were willing to settle this for pennies on the dollar,” said Addicott, the former judge.

The last hope for the POWs rests with the Supreme Court. Their lawyers petitioned the high court last month to hear the case. Significant, it has been renamed Acre vs. Iraq and the United States.

The POWs say the justices should decide the “important and recurring question of whether the war on terror is now a state-sponsored terrorism [may] seek redress against terrorist states in federal court.”

This week, Justice Department lawyers are expected to file a brief urging the court to turn away the appeal.

Ms. LEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as the daughter of a veteran, 26 years in the Army, I want to express my profound respect and appreciation for our brave men and women serving on the ground in Iraq. They have a very difficult job, and all of us pray for their safe return, and many of us want them home very quickly.

The administration’s request for an additional $82 billion brings the total war funding to nearly $300 billion. We must continue to ask just where has this money gone? For example, the Coalition Provisional Authority was accountable for about $9 billion, and that is just what we know. Where did that money go? We deserve to know. The American people deserve to know what our tax dollars have paid for. Did that $9 billion go, for example, to protect our troops? We have no idea.

Another important question is, are we safer today than when this war began? The answer is plainly no. If one believed the administration, the goal of the war was to prevent weapons of mass destruction from falling into the hands of terrorists and that Iraq posed an immediate threat to the United States. Now it appears that this unnecessary war may have actually increased that threat.

Instead of stopping terrorism, this administration’s policies have allowed it to expand. According to the National Intelligence Council, this administration’s war has turned Iraq into a breeding ground for Islamic terrorists. Before the war, there was no connection, no connection, between Saddam Hussein and al Qaeda. Now there is.

Congress requires the administration to give a thorough accounting of how our tax dollars have been spent pursuing these policies in Iraq and what the administration’s expectations are for future expenses. And despite this law, the administration has flatly refused to make this accounting to us, to the American people, or to determine what this will be. We believe, however, what has been overlooked. There is a documented failure to provide our troops with both body armor and armored vehicles. There are documented cases of waste and fraud perpetrated by contractors like Halliburton.

Mr. Chairman, it is the height of hypocrisy for Members of Congress to say that they support our troops and then fail to require accountability of how these funds are being spent and whether or not the previous resources allocated were spent to protect our troops. If one asks me, the Bush administration just wants another blank check. We owe an accountable, and they have failed to provide a concrete plan for how our troops will stabilize the situation in Iraq and to bring our troops home.

Mr. Chairman, this administration has much to account for. There have been too many blank checks and not enough accountability. I will vote against the supplemental and urge my colleagues to do the same.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent that the remainder of title I be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the remainder of title I from page 7, line 11 to page 35, line 14 is as follows:

OPERATION AND MAINTENANCE, ARMY Reserve

For an additional amount for “Operation and Maintenance, Army Reserve”, $8,154,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, NAVY Reserve

For an additional amount for “Operation and Maintenance, Navy Reserve”, $75,164,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, MARINE CORPS Reserve

For an additional amount for “Operation and Maintenance, Marine Corps Reserve”, $24,920,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, $138,779,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For an additional amount for “Overseas Humanitarian, Disaster, and Civic Aid”, $10,000,000, to remain available until September 30, 2006: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary’s designee to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq including the provision of equipment, supplies, services, training, facilities and infrastructure repair, renovation, and construction, and funding: Provided further, That the Secretary of Defense may transfer the funds provided herein for appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein, provided further, That no transfer to any other authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or portion of the funds provided herein are not necessary for the purposes provided herein, such amounts may be transferred to another authority for the purposes provided herein: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making this transfer, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

AFGHANISTAN SECURITY FORCES FUND (INCLUDING TRANSFER OF FUNDS)

For the “Afghanistan Security Forces Fund”, $1,285,000,000, to remain available until September 30, 2006: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Afghanistan Command—Afghanistan, or the Secretary’s designee to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan including the provision of equipment, supplies, services, training, facilities and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations: Provided further, That the Secretary of Defense may transfer the funds provided herein for appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Secretary of Defense: Provided further, That upon a determination that all or part of the funds so
transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the amounts provided for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes by the President, That, notwithstanding any other provision of law, from funds made available under this heading, up to $90,000,000 may be used to provide assistance to the Government of Jordan to establish a regional training center designed to provide comprehensive training programs for regional military and security forces and military officials to enhance the capability of such forces and officials to respond to existing and emerging security threats in the region: Provided further, That assistance authorized by this provision may include the provision of facilities, equipment, supplies, services, training and funding, and the Secretary of Defense may transfer funds to any Federal agency for the purpose of providing such assistance: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers under this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report to the Committees not later than 90 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCURMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for “Aircraft Procurement, Army”, $456,677,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MISSILE PROCUREMENT, ARMY

For an additional amount for “Missile Procurement, Army”, $330,336,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, $2,678,747,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for “Procurement of Ammunition, Army”, $585,000,000 shall be derived from transfer of “Iraq Freedom Fund”: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for “Aircraft Procurement, Navy”, $1,618,000,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

WEAPONS PROCUREMENT, NAVY

For an additional amount for “Weapons Procurement, Navy”, $71,600,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT OF AMMUNITION, NAVY

For an additional amount for “Procurement of Ammunition, Navy and Marine Corps”, $141,735,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, MARINE CORPS

For an additional amount for “Procurement, Marine Corps”, $3,588,495,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, AIR FORCE

For an additional amount for “Aircraft Procurement, Air Force”, $279,241,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, DEFENSE WORKING CAPITAL FUNDS

For an additional amount for “Defense Working Capital Funds”, $1,411,300,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy”, $78,372,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, MARINE CORPS

For an additional amount for “Procurement, Marine Corps”, $1,619,300,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, NAVY

For an additional amount for “Procurement of Ammunition, Navy and Marine Corps”, $6,998,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, AIR FORCE

For an additional amount for “Aircraft Procurement, Air Force”, $257,000,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, NAVY

For an additional amount for “Procurement of Ammunition, Navy”, $121,500,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for “Research, Development, Test, and Evaluation, Navy”, $159,600,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OTHER PROCUREMENT, NAVY

For an additional amount for “Other Procurement, Navy”, $45,256,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

WEAPONS PROCUREMENT, NAVY

For an additional amount for “Weapons Procurement, Navy”, $5,950,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, DEFENSE-WIDE

For an additional amount for “Procurement, Defense-Wide”, $1,067,000,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

NON-FISCAL ACTIVITIES

LESS THAN $1 MILLION

For an additional amount for “Drug Interdiction and Counter-Drug Activities, Defense (INCLUDING TRANSFER OF FUNDS)”, $5,624,000,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CONCLUSION

In addition to amounts provided under this heading for Defense working capital funds, national defense sealift fund, and other defense programs, other than those provided for under titles II, III, VII, IX, XI, XII, XIV, XVI, and XVII of this Act, the Secretary of Defense may transfer such funds as may be necessary for the purposes of the National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-163), and the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-136), in the amounts necessary to meet an emergency requirement as determined by the Secretary of Defense.
research, development, test and evaluation: Provided further, That the funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided for, such amounts may be transferred back to this appropriation: Provided further, That not to exceed $70,000,000 of the funds provided herein may be used to reimburse fully any obligation incurred for the purposes provided under this heading prior to enactment of this Act: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (10th Cong.).

RELATIVE AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for “Intelligence Community Management Account”, $250,300,000, of which $181,000,000 is to remain available until September 30, 2006: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (10th Cong.).

GENERAL PROVISIONS—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 1101. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between additional amount for “Office of the Inspector General” $148,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (10th Cong.).

(TRANSFER OF FUNDS)

For an additional amount for “Intelligence Community Management Account”, $250,300,000, of which $181,000,000 is to remain available until September 30, 2006: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (10th Cong.).

SEC. 1102. Section 8005 of the Department of Defense Appropriations Act, 2005, as amended by substituting “$400,000 and, in the case of a member or spouse” for subparagraphs (A) and (B) of paragraphs (1) and (2) of subsection (b) thereof, is amended by inserting “$800,000 or such lesser amount as the member may elect in increments of $50,000” after “$400,000” and inserting “$400,000” after “$800,000”.

SEC. 1103. During fiscal year 2005, the Secretary of Defense may transfer amounts in or among Defense Coordinating Interagency accounts pursuant to section 2606 of title 10, United States Code, to such appropriations or funds of the Department of Defense as he shall determine for use consistent with the purposes for which such funds were contributed and accepted: Provided, That such amounts shall not be available for the same time period as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (10th Cong.).

SEC. 1104. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this Act for operations and maintenance of Counter-drug Security Forces, and Counter-Drug Activities, not to exceed $34,000,000 may be available for support for counter-drug activities of the Government of Afghanistan: Provided, That such support shall be in addition to support provided for the counter-drug activities of said Governments under any other provision of the law.

(b) TYPES OF SUPPORT.—(1) Except as specified in subsections (b)(2) and (b)(3) of this section, the Secretary shall determine for use consistent with the purposes provided in this Act, and the authorities provided in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85), as added by Public Law 106–398 and Public Law 108–183 and conditions on the provision of support as contained in section 1033 shall apply for fiscal year 2005.

(2) The Secretary may transfer vehicles, aircraft, and detection, interception, monitoring and testing equipment to support for counter-drug activities of the Government of Afghanistan.

(3) For the Government of Afghanistan, the Secretary of Defense may also provide individual and crew-served weapons, and ammunition for counter-drug security forces.

SEC. 1105. The paragraph under the heading “Operation and Maintenance, Defense-Wide” of the title II of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 954), is amended in the first proviso by striking “$32,000,000” and inserting “$40,000,000”.

SEC. 1106. For fiscal year 2005, the limitation under paragraph (3) of section 2208(i) of title 10, United States Code, on the total amount authorized and imposed for all working capital funds of the Department of Defense in a fiscal year shall be applied by substituting “$1,500,000,000” for “$1,000,000,000”.

SEC. 1107. Section 1201(a) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–373; 118 Stat. 3437), as added by section 162 of title II of division J of the Consolidated Appropriations Act, 2005 (Public Law 108–147), is further amended by striking “$500,000,000” in the matter preceding paragraph (1) and inserting “$545,000,000”.

SEC. 1108. Section 8002(b) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287), as amended by Public Law 108–373, is amended by striking “$185,000,000” and inserting “$210,000,000.”

SEC. 1109. (a) During calendar year 2005 and notwithstanding section 5547 of title 37, United States Code, the head of an Executive agency may waive the limitation, up to $200,000, established in that section for total compensation of any of the heads of such agencies and the Commander of the U.S. Central Command, in support of, or related to—

(1) a military operation, including a contingency operation, or

(2) an operation in response to a declared emergency.

(b) To the extent that a waiver under subsection (a) results in payment of additional premium pay of a type that is normally creditable as basic pay for retirement or any other benefits authorized under chapter 55 of title 37, United States Code, such additional premium pay shall be considered to be basic pay for any purpose, nor shall it be used in computing a lump-sum payment for accumulated and accrued annual leave under section 5551 of title 5, United States Code.

SEC. 1110. During fiscal year 2005, the Secretary of Defense may provide additional amounts for the intelligence community, to remain available until November 30, 2006, for the following purposes: Provided, That such amounts shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred:

(1) $1,000,000,000: Provided, That the Secretary shall notify the Congress promptly of such election to any person designated by the member as a beneficiary under this program.

(c) The Director of the Office of Personnel Management may issue regulations to ensure that any inconsistency among heads of executive agencies in the exercise of authority granted by this section.

SEC. 1111. Section 1096(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) is amended—

(1) in the matter preceding paragraph (1), by striking “in the fiscal year after the effective date of this Act” and inserting “during fiscal years 2005 and 2006”; and

(2) in paragraph (1), by striking “500 new personnel billets” and inserting “a total of 50 new personnel positions”.

SEC. 1112. Notwithstanding subsection (c) of section 308e of title 37, United States Code, the maximum amount of the bonus paid to a member of the Armed Forces pursuant to a reserve affiliation agreement entered into under such section during fiscal year 2005 shall not exceed $15,000, and the Secretary of Defense, the Secretary of Homeland Security with respect to the Coast Guard, may prescribe regulations under subsection (f) of such section to modify the amount which bonuses are made under reserve affiliation agreements entered into during such fiscal year.

SEC. 1113. (a) INCREASE IN SGLI MAXIMUM.— Section 1677 of title 38, United States Code, is amended—

(1) in subsection (a)(3)(A)(i), by striking “$250,000” and inserting “$400,000” or such lesser amount as the member may elect in increments of $50,000”;

(2) in subsection (a)(3)(B), by striking “member or spouse” in the last sentence and inserting “member” and inserting “$50,000 and, in the case of a member’s spouse”; and

(3) in subsection (d), by striking “of $250,000” and inserting “in effect under subsection (a)(3)(A)(i)”.

(b) SPOUSE CONSENT AND BENEFICIARY NOTIFICATION.—Section 1677(a)(3)(B) of such title is amended—

(1) by inserting “(i) after “(B)”;

(2) by adding at the end the following new clauses:

“(I) A member who is married may not, without the written concurrence of the member’s spouse—

(1) elect not to be insured under this subchapter or to be insured under this subchapter in an amount less than the maximum amount provided for under subparagraph (A)(i); or

(2) designate any other person as a beneficiary under this program.

(III) Whenever a member who is not married elects not to be insured under this subchapter or to be insured under this subchapter in an amount less than the maximum amount provided for under subparagraph (A)(i) of such section, the Secretary concerned shall make a notice to any person designated by the member as a beneficiary or designated as the member’s next-
of-kin for the purpose of emergency notification, as determined under regulations prescribed by the Secretary of Defense.

(c) LIMITATION ON SPOUSE COVERAGE TO ANNUAL INCURRED.—Pursuant to subsection 1967(a)(3)(C) of title 10 of such title is amended by inserting before the period at the end the following: “as applicable to such member under subparagraph (A) and (E).”

(d) CONFORMING AMENDMENTS TO VGLI PROVISIONS.—Section 1977 of such title is amended by striking “$250,000” each place it appears and inserting “$400,000”.

(e) MILITARY DEATH GRATUITY.—Section 1978 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “$12,000 (as adjusted under subsection (c))” and inserting “$100,000”;

(b) QUALIFYING DEATHS.—The death of a member of the uniformed services is a qualifying death for the purpose of this section if—

(1) the member died during the period beginning on October 7, 2001, and ending on the day before the date of the enactment of this Act; and

(2) for the purpose of section 1114(a)(2), the death was a direct result of an injury or illness (or combination of one or more injuries or illness) incurred in Operation Enduring Freedom or Operation Iraqi Freedom, as determined under regulations prescribed by the Secretary of Defense; and

(f) DEFINITION.—For the purposes of this section—

(1) the term “covered death” means a death incurred—

(A) by a beneficiary in the performance of duty;

(B) by reason of a covered death;

(C) by reason of a covered death to the person or persons who would have received proceeds under those provisions of law for a member who is insured under that subsection but does not receive beneficiaries.

(d) MILITARY DEATH GRATUITY BENEFICIARIES.—A payment pursuant to section 1114(a)(1) to a beneficiary shall be paid equal shares to the beneficiaries who were paid the death gratuity that was paid with respect to that death under subchapter II of chapter 75 of title 10, United States Code.

(e) STATUS OF PAYMENTS.—A death gratuity payable under this section by reason of a qualified death in addition to any other death gratuity or other benefit payable by the United States by reason of that death.

(f) DEFINITION.—For the purposes of this section—

(A) the term “covered death” means a death occurring—

(1) before the date of the enactment of this Act;

(2) in Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn;

(3) in Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn;

(g) PAYMENTS TO CORPORATE OFFICES.—For an additional amount for “Military Construction, Army”, $950,000,000, to remain available until September 30, 2007: Provided, That $699,000,000 of such additional amount may not be obligated until after that date on which the Secretary of Defense submits to the Congress the Appropriations of the House of Representatives and Senate the comprehensive master plans for overseas military infrastructure required by House Report 108-342: Provided further, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, $82,720,000, to remain available until September 30, 2006: Provided, That $32,380,000 of such additional amount may not be obligated until after that date on which the Secretary of Defense submits to the Congress the Appropriations of the House of Representatives and Senate the comprehensive master plans for overseas military infrastructure required by House Report 108-342: Provided further, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

For an additional amount for “Military Construction, Air Force”, $301,386,000, to remain available until September 30, 2006: Provided, That $301,386,000 of such additional amount may not be obligated until after that date on which the Secretary of Defense submits to the Congress the Appropriations of the House of Representatives and Senate the comprehensive master plans for overseas military infrastructure required by House Report 108-342: Provided further, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

For an additional amount for “Military Construction, Army”, $1,542,100,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

For an additional amount for “Operation and Maintenance, Army”, $663,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as the Members know, all of us in this great country have our troops to have what they need when they go into harm’s way. Sadly, that was not the case in the last 2 years. I hope that the $32 billion in this bill will redress some of those shortcomings, particularly that our troops have had to suffer because they did not have the proper equipment. Never again should America send our troops into harm’s way without the equipment they need to keep them safe and to bring them home as soon as they have finished their job.

I rise, Mr. Chairman, to commend the gentleman from Massachusetts (Mr. TIERNEY) and the gentleman from Iowa (Mr. LEACH) for putting forth a very critical amendment to appropriate funds for a select committee to study the awarding and carrying out of government contracts in Iraq and Afghanistan. As I said, we want our troops to have what we need. We must be sure that the taxpayer’s dollar is spent wisely.

In their bipartisan work, the gentleman from Massachusetts (Mr. TIERNEY) and the gentleman from Iowa (Mr. LEACH) have made clear that accountability in government is not a partisan issue. Their leadership has set the right tone for this vital debate.

In 1941, Mr. Chairman, Senator Harry Truman got in his car and drove all across the United States, making unannounced visits to defense plants and corporate offices. The people running the plants did not recognize then Senator Truman. They did not bother to hide the corruption and waste that characterized their operations.

Mr. Chairman, this was at a time when Senator Truman was in a Democratic-majority Senate, there was a Democratic majority in the House, there was a Democrat in the White House, and our country was in a world war. But when he came home to Washington, Truman called the trip “an eye opener,” and he soon

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Mr. Chairman, the real question before us is whether to keep the $200 million for Palestinian assistance in this bill. Clearly, this package serves U.S. national interests and will enhance Israel’s security and the quality of life for the Palestinians. But the real question is whether the U.S. Congress is serious about working with President Bush, Prime Minister Sharon, and President Abbas to seize this historic opportunity.

In doing so, he created a bipartisan consensus that gave the public confidence in the war effort. We can and should all agree in a bipartisan way that taxpayer money should always be spent efficiently and effectively.

Today we are considering whether to appropriate another $80 billion to the war effort in Iraq and Afghanistan. This is in addition to the more than $200 billion that has already been made available. Spending of this magnitude demands strict accounting.

Today it would be impossible to walk into a defense plant unannounced, of course; but while security measures have changed, our American values of accountability have not. There are honest differences about defense policy, but all agree in a bipartisan way that taxpayer money should always be spent efficiently and effectively.

Sadly, the stories of abuse on contracts in Iraq are everywhere.

President Bush spent on Iraq reconstruction is unaccounted for because of inefficiencies and bad management.

The Pentagon’s own auditors have now concluded that Halliburton overcharged by more than $100 million under its no-bid Iraqi oil contract. $100 million.

A firm was paid $15 million to provide security for civilian flights into Baghdad, even though no planes flew during the term of the contract. This is a disgrace.

This may be just the tip of the iceberg, though. We simply do not know. That is what we want to find out. We do know who has paid the price for this waste and corruption: American troops and American taxpayers.

Our first priority must always be to protect our troops the equipment they need to do their jobs and protect themselves.

Recently, we learned that a contract for bulletproof ceramic plate inserts was awarded to a contractor who had no practical means of producing them. It took troops in Iraq two weeks to start receiving the insert, 167 days. How many injuries? How many deaths? We do not know.

For taxpayers, every dollar that is wasted on corruption, and that is what this is, profiteering on the war is corruption, and incompetence, is one less dollar to pay down record deficits or to make Social Security solvent.

Harry Truman led the way for a Democratic Congress to conduct oversight of a Democratic administration. In doing so, he created a bipartisan consensus that gave the public confidence in the war effort. We can and we must do the same today.

The amendment offered by the gentleman from Massachusetts (Mr. Tierney) and the gentleman from Iowa (Mr. Leach) would allow Congress to monitor the contracting process better, to meet the needs of our troops better, and to safeguard taxpayer dollars better.

I urge my colleagues to support this amendment and in doing so to support accountability in government spending and to stop the profiteering on the war in Iraq.

Mrs. CAPPS, Mr. Chairman, I move to strike the last word.

Mrs. CAPPS asked and was given permission to revise and extend her remarks.

Mr. Chairman, the Arafat era is over. The new Palestinian president and his government are making great strides. They are committed to political reform. Their financial reform efforts, which are led by Minister Salaam Fayyad, have produced profound accounting and transparency.

On the critical question of security, President Abbas is also off to a good start. He has clearly and unequivocally stated that can and will liquidate the Authority that can and will liquidate the Palestinian security and the quality of life for the Palestinians. But the real question is whether the U.S. Congress is serious about working with President Bush, Prime Minister Sharon, and President Abbas to seize this historic opportunity.

Imagine that. President Bush and Prime Minister Sharon are helping to strengthen and empower President Abbas, but at the same time Congress will slap more conditions on them than they ever did on Arafat.

One especially troubling provision in the bill strikes the national security waiver under which the President could provide some of this aid directly to the Palestinian Authority. President Bush has decided in the past that some U.S. aid be directed to the authority. This bill would prevent him from doing that, tying his hands at the very moment that he needs flexibility to promote our interests in the Middle East.

My colleagues should understand this bill puts more restrictions on the President than we ever placed on President Clinton.

Mr. Chairman, there is a broad consensus in the American pro-Israel community in support of the President’s request for the Palestinians. The Jewish Council for Public Affairs, the umbrella group of 13 prominent national organizations and 122 local Jewish communities, has recently urged Congress to fund the Palestinian request in its entirety.

The Union For Reform Judaism, representing 1.5 million American Jews, believes the aid should go directly to the Palestinian Authority. Americans for Peace Now wants us to support this package and remove the excessive conditions that the committee has placed on it.

In asking us to support a clean aid package, M.J. Rosenberg of the Israel Policy Forum states the following: “Israel wants a strong Palestinian Authority that can and will liquidate the suicide bombers and build a democracy that will live in peace with Israel.”

In the Arafat years, it was as fragile as it may be, a new flame of hope and optimism has been kindled in the Middle East. Shame on us as Americans if we do not do whatever we can to seize this historic opportunity.

Mr. Chairman, I urge my colleagues to support the $200 million in Palestinian assistance, I urge us to reject any amendments to strip this aid, and I hope in the conference with the Senate that we can work together to keep the President the flexibility he needs to promote U.S. security interests in the region.

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

(Mr. BUYER asked and was given permission to revise and extend his remarks.)
Mr. BUYER. Mr. Chairman, I have some concerns about provisions in section 1113 of the bill relating to Service Members Group Life Insurance, which I will now refer to as SGLI.

Neither the Department of Veterans Affairs nor the House Committee on Veterans’ Affairs, the authorizing committee with jurisdiction over VA insurance programs, was consulted prior to the administration’s submitting the insurance proposals in the war supplemental. I recognize that it placed the gentlelady from California (Ms. LIU) and the gentleman from Wisconsin (Mr. OBEY) in very difficult positions, because they always come to the floor to talk about authorizing on appropriations bills; but that is what you are doing exactly here.

There are two primary points of concern with regard to these sections. Number one, it would authorize retroactive insurance coverage in cases of servicemembers who die having declined premium coverage; and second, it would require a spouse to concur with the servicemember’s insurance coverage election.

The administration proposed to provide for a retroactive payment to give the surviving spouses the prospective maximum SGLI to those who have died since the beginning of combat operations on October 7, 2001. At the appropriations markup, the gentleman from Wisconsin (Mr. OBEY) offered a floor amendment, which was accepted, to limit retroactive payment to those who died in performance of duty.

By restricting payments to deaths that the Service Secretary concerned determines in the performance of duty, we would then expect that deaths which occurred during the performance of an assigned military duty would be compensated, but that deaths not associated with assigned military duties would not qualify. Another qualifier, though, that perhaps should have been considered during this markup, would have been in addition to dying in performance of military duties, the servicemember must have had maximum insurance coverage at the time of death. The Committee on Veterans’ Affairs has established a record in this regard.

When we increased the SGLI coverage from $200,000 to $250,000 with a delayed effective date in Public Law 106–465, Mrs.änderation to the post-Vietnam era (1975) the gentleman from California (Chairman Lewis) and the gentleman from Wisconsin (Mr. OBEY) insisted that the maximum amount of coverage be reduced because of concerns concerning whether to enter into a contract and the amount of that contract violates the principles of contractual law and the nature of life insurance. Requiring the spouse to concur with the servicemember’s decision, as included in H.R. 1268, would in fact make SGLI a voluntary program for single servicemembers, and an involuntary program for married servicemembers.

Life insurance policies are fundamentally different from the protection to surviving spouses rightfully provided under some other retirement programs.

There are plenty of substantive concerns with regard to this provision: first, one, giving the spouse veto power over the amount of insurance that gives him or her greater say than the servicemember. Number two, SGLI would in fact be a voluntary program for single, involuntary for married. Third, there are billions of dollars of insurance tied up in the
decommercial market. The Administration proposed to provide the servicemember to pay premiums and keep the spouse as a beneficiary, even in situations of pending divorce, spousal abuse, drug abuse, or child abuse. I mean, let your mind go. Fourth, the servicemembers’ decision as included in the bill would prevent a servicemember from naming children, children from a previous marriage, parents, grandparents, guardians of grandchildren, let your mind go, from participating in insurance.

The Supreme Court has upheld the right of the insured to name whoever he or she wants as a beneficiary, even if it is in violation of a State court divorce decree.

There are administrative concerns as well, the substantial administrative costs that would be added in the day-to-day running of this program, as well as has been added to its greater complexity. If a servicemember there says that there is no spouse or names another beneficiary and declines coverage, a spouse could come forward after the servicemember’s death.

Another concern is the program may be liable to pay maximum amounts if no premiums were collected or if a separate beneficiary already had been paid. And if there is a delay in getting a spouse to agree to insurance coverage or the amount and the servicemember dies, then who receives the benefits?

These are many, many issues that need to be resolved, and I look forward to working with the gentleman from California (Chairman Lewis) as we proceed forward to the conference to address many of these issues.

Mr. Chairman, I include the following letter from the Military Officers Association of America for the RECORD.
money, and use that as an opportunity to expand benefits to deserving servicemen and women. I make no apology whatsoever for doing that.

Dick Bolling, who was my mentor when I came here and chaired the Committee on Rules, used to talk disdainfully of people who looked at this House through the prism of what he called “dung hill politics”; in other words, focusing on jurisdiction of different committees, forgetting that we have a larger responsibility to the body as a whole and to the country as a whole.

Now, I make no apology for the fact that the Committee on Appropriations might have stepped on a few toes in expanding benefits for deserving servicemen and women. I am glad they did. I hope the toes did not hurt too much. But the fact is if the gentleman has objections to what the administration has suggested then I would suggest the majority party needs to get its act together. Rather than risking these expanded benefits by doing what they almost did in the Committee on Rules today, which is to make these two sections of the bill subject to a point of order which could have lost those benefits for deserving servicemen and women.

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

Mr. OBEY. I yield to the gentleman from Indiana.

Mr. BUYER. I had a very good discussion with the gentleman from California (Mr. LEWIS). I did not come here to the floor to strike these provisions from the bill. I will work with the administration. I will work with the Committee on Appropriations. I am going to do that as an authorizer. I am not claiming jurisdictional grounds. I am not going to play games with the gentleman from Wisconsin (Mr. OBEY) at all.

Mr. OBEY. With all due respect, the gentleman just misquoted. Reclaiming my time, with all due respect, the gentleman misquoted and mischaracterized my amendment in committee. The gentleman described it as an amendment limiting benefits when in fact it expanded them, and I do not appreciate that.

Mr. BUYER. I thought what the gentleman from Wisconsin (Mr. OBEY) did by making a performance of duty was a wise thing. I think that was the move of the gentleman. I do not know why the gentleman would be upset with regard to my remarks on performance of duty because what the gentleman from Wisconsin (Mr. OBEY) did is followed what we, the gentleman from Illinois (Mr. EVANS) and I, had also recommended. Performance of duty is a good thing.

Mr. OBEY. That is what we tried to do.

Mr. BUYER. I do not have a problem with the performance of duty. I have come to the floor to express some concerns with regard to the identification of an insurance product. We are turning it into an indemnity and a gratuity with regard to an insurance product. We have to be smart about our business with regard to how we proceed. That is my purpose of being here. It is not to reach into the Treasury and just say we are going to give this money.

Mr. OBEY. Reclaiming my time, let me simply say I appreciate that. My only point is if the gentleman is going to come to the floor and characterize what I did please do so accurately. Why is it that the gentleman has not had to meet to what he said was my amendment limited—I believe the word used was “restricted.” We did not. We expanded it.

Mr. BUYER. But it does and I gave the example because you can have someone who has an accidental death or a duty nonperformance in the service.

Mr. OBEY. Reclaiming my time, with all due respect, the effect of my amendment as scored by CBO was to add $95 million in costs.

The Acting CHAIRMAN (Mr. SHIMKUS). The time of the gentleman from Wisconsin (Mr. OBEY) has expired. (By unanimous consent, Mr. OBEY was allowed to proceed for 1 additional minute.)

Mr. OBEY. What we did was to provide $95 million in additional benefits to persons who had died who were not living in Iraq and Afghanistan. That was the effect of my amendment. The gentleman may be talking about restrictions that the committee action took.

Mr. BUYER. No, the gentleman’s amendment.

Mr. OBEY. My amendment expanded. It did not restrict, and the gentleman needs to reread it if he does not understand that.

Mr. BUYER. I will be more than happy to get the gentleman legal counsel so he can understand what he has written.

Mr. LEWIS of California. Mr. Chairman, I move the last word.

I do so in order to have a very brief discussion with the gentleman who is chairman of the authorizing committee. I think many of you in the House know that I spent a lot of years in my life making an honest living in the life and health insurance business so I know a little bit about this subject.

The gentleman is raising a number of questions that are very legitimate questions. I do not think there is a conflict here. I just wanted the gentleman to know that it is my intention to examine these serious questions between now and the time we go to conference. I am absolutely certain we can at least clear the air on any remaining problems between us and the gentleman.

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

Mr. LEWIS of California. I yield to the gentleman from Indiana.

Mr. BUYER. I thank the gentleman. What the gentleman from Wisconsin (Mr. OBEY) did with regard to performance

Mr. LEWIS of California. Reclaiming my time, let us not describe what the gentleman from Wisconsin (Mr. OBEY) did. We will be here for hours. Either we do this my way or we do not.

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

Mr. LEWIS of California. I yield to the gentleman from Indiana.

Mr. BUYER. I believe that the performance of duty that is in the bill, what it does, it does identify with regard to my remarks on performance of duty; who will receive payment and who do not receive payments. That was why I used the word “limited” or “restricted” because you could have an individual, Mr. Chairman, of whom died in an auto accident, was murdered, or something happened to them and they do not qualify.

Mr. LEWIS of California. Reclaiming my time, the gentleman can then, in this complex field, understand when he used the term “restrict” that the gentleman from Wisconsin (Mr. OBEY) might be a bit disconcerted.

Does the gentleman see what I am saying?

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

Mr. LEWIS of California. I yield to the gentleman from Indiana.

Mr. BUYER. Absolutely. That is why what we have here are two individuals of whom understand what we are talking about but probably have a, well, away, let us not use cantic.

What I do wish I did as we proceed forward as we go to conference working with the Senate is work also with the administration, work with the Department of Defense, the VA and OMB to make sure that we bring a proper identity with regard to service and group life insurance that also subsidizes veterans group life insurance, and that is what I want to work with the chairman on.

Mr. LEWIS of California. Reclaiming my time, it would be my intention for us to have serious discussions including the gentleman from Wisconsin (Mr. OBEY) and his staff and our people so that we know that the air is cleared.

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

Mr. LEWIS of California. I yield to the gentleman from Wisconsin.

Mr. OBEY. Let me simply say that I find it ironic, Mr. Chairman, and I thank the gentleman for yielding, because the entire history of the development of this expanded benefit demonstrates that both the gentleman from California (Mr. LEWIS) and this gentleman from Wisconsin were aiming to expand benefits, not to contract them.

When I first drafted my first proposal we were told that the Committee on Veterans’ Affairs itself was concerned that we might have gone too far in providing benefits to people because, for instance, the example used to me was we do not pay someone who was killed in a drunken driving accident because he had five martinis at a bar. We want to make sure that this
Mr. Chairman, my amendment could be the most decent, moral and effective $100 million spent in this bill. This $100 million in disaster relief and refugee assistance would go very far in alleviating the multiple disasters and refugee crisis in Africa. Most of Africa’s urgent humanitarian needs are shockingly affordable. Sadly, what we have been missing is the political will to stand up and do something.

Mr. Chairman, the only way for evil to succeed is for good people to do nothing. I urge a “yea” vote on the Jackson amendment.

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

As the gentleman from Illinois (Mr. JACKSON) knows, I spoke in committee against this amendment which was then part of a larger amendment and these two were combined at that point. I made the point that I was not at all sure that this additional money was needed in Darfur, Sudan in light of the $100 million spent in this bill. This $100 million was already in the supplemental for this region.

However, I understand the gentleman from Illinois (Mr. JACKSON) feels very strongly about this. He and I traveled together to the Darfur region. We saw the terrible, terrible suffering that the people there are going through.

We are in complete agreement on our need to take every step that we can to provide not only for a peaceful solution in the area, but also to provide for humanitarian relief for the people who live in that region, and therefore I am prepared today with concurrence of the chairman to accept this en bloc amendment, and we will take a very good look at this in the conference with the Senate and see where we are at that point. We will be a little bit further down the road and have some time to get a better handle on this at that point.

I again want to commend the gentleman for his commitment, his dedication, his passion in offering this amendment.

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

I want to thank the gentleman from Arizona (Mr. KOLBE) for addressing this important amendment that my friend, the gentleman from Illinois (Mr. JACKSON), introduced. I feel strongly about the urgency of this issue and I look forward to working with the gentleman in the conference as we approach conference to ensure that this emergency that the gentleman has addressed in his amendment is certainly placed in the conference and we can provide the needed assistance.

I thank the gentleman so much for his willingness to work with us to make sure that this happens.

Mr. JACKSON of Illinois. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The Acting CHAIRMAN. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. JACKSON of Illinois. Mr. Chairman, I would like to thank the gentleman from Arizona (Mr. KOLBE) for his extraordinary leadership on this issue. I would like to thank the gentleman from Virginia (Mr. WOLF) for his extraordinary steadfast commitment to encouraging Members of this Congress to stand up and do the right thing. This would not be possible without the leadership of the chairman of the Committee on Appropriations, the gentleman from California (Mr. LEWIS), and the thoughtful consideration that the ranking member, the gentleman from Wisconsin (Mr. OBEY), has given to this very critical part of the world.

I thank the gentlemen for their support of this bipartisan amendment.
FUND”, after the first dollar amount, insert “(reduced by $3,000,000)”.

In chapter 1 of title IV of the bill, in the item relating to the “Tsunami Recovery and Reconstruction Fund”, after the first dollar amount, insert “(increased by $3,000,000)”.

Mrs. MALONEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. MALONEY. Mr. Chairman, my amendment moves $3 million from the Economic Support Fund, which has over $1 billion available, to the Tsunami Recovery and Reconstruction Fund, which now has over $600 million available. It is not subject to a point of order and is both budget authority and outlay neutral.

The reason for this amendment is very simple. It is to help pregnant women impacted by the tsunami. The intent of my amendment is to give $3 million to the U.N. Population Fund to assess tsunami victims in Indonesia, Sri Lanka, and the Maldives for very specific, pressing needs that I am very sure we can all agree are absolutely necessary at this time.

Mr. KOLBE. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, can the gentlewoman clarify which amendment we are talking about here?

Mrs. MALONEY. Yes.

Mr. KOLBE. Mr. Chairman, I think I heard the reading of two amendments. Which one are we on at this point?

Are we on the one that is $3 million or the one that was the larger one that I heard read first?

Mrs. MALONEY. Mr. Chairman, $3 million.

Mr. KOLBE. Is that the one we are considering? Is that the understanding of the Chair?

The Acting CHAIRMAN. The gentleman will suspend. Without objection, the Clerk will re-report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY: In Chapter I of title II of the bill, in the item relating to the “ECONOMIC SUPPORT FUND”, after the dollar amount, insert “(reduced by $3,000,000)”.

Mr. KOLBE. Mr. Chairman, I am now clear which amendment we are talking about. I appreciate the gentlewoman yielding for that purpose.

The Acting CHAIRMAN. Without objection, the reading is waived.

There was no objection.

The Acting CHAIRMAN. The gentlewoman from New York (Mrs. MALONEY) may proceed.

Mrs. MALONEY. Mr. Chairman, more than a 150,000 women are currently pregnant in the tsunami-affected areas, including 50,000 anticipated to give birth during the next 3 months.

UNFPA is determined to enhance the likelihood of deliveries occurring in safe and clean conditions by providing emergency care, basic supplies, and helping to rebuild health care facilities. They are uniquely qualified to provide these services. In fact, they have been on the ground since that tragic day, helping save the lives of women, children, and families.

With these funds, UNFPA can provide safe delivery kits, such as the one I have here. It includes basic supplies such as soap, plastic sheeting, razor blades, string and gloves, laundry detergent, dental supplies. These are supplies that are needed to prevent and treat cases of violence against women and youth. They also offer psychological support and counseling and promote access of unaccompanied women to vital services.

Each of these areas is a serious problem and will go a long way towards helping save the lives of thousands of women and children.

Disasters put pregnant women at greater-than-normal risk because of the sudden loss of medical support.

Mr. KOLBE. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I have looked at the amendment, and I understand what the gentlewoman is talking about, what her intentions or how it would be used in the Tsunami Recovery Fund. It does not, of course, specifically provide for that, and I am prepared to accept this amendment if the gentlewoman would be willing to move the discussion along as quickly as possible.

Mrs. MALONEY. Mr. Chairman, I thank the gentleman for accepting the amendment, and I would like to note that because of the tsunami most of the midwives lost their lives. Fully 30 percent of them died in the tsunami, and many of those who survived are still dealing with personal trauma.

So it is incredibly important that this funding be moved to UNFPA, the U.N. Population Fund, to help the tsunami victims and particularly those who need maternal health care services.

Many of my colleagues, including the gentlewoman from New York (Mrs. LOWEY), who has worked so hard on helping the people, she traveled to the region early this year and was able to witness firsthand the horror along with the gentleman from New York (Mr. CROWLEY) and the gentlewoman from California (Ms. LINDA T. GÓMEZ) and others, and they were able to see the work UNFPA has been doing to help these people.

I thank the leadership for accepting the amendment. It is an important one. We appreciate the consideration.

My amendment moves $3 million from the Economic Support Fund, which has $1.06 billion available to the Tsunami Recovery and Reconstruction Fund, which now has $656 million available. It is not subject to a point of order and is both budget authority and outlay neutral.

The reason for this amendment is very simple: it is to help pregnant women impacted by the tsunami.

The intent of my amendment is to give $3 million to the U.N. Population Fund to assist tsunami victims in Indonesia, Sri Lanka, and the Maldives for very specific, pressing needs that I am sure we can all agree are absolutely necessary at this time. More than 150,000 women are currently pregnant in the tsunami-affected areas, including 50,000 anticipated to give birth during the next three months.

UNFPA is determined to enhance the likelihood of deliveries occurring in safe and clean conditions by providing emergency care, basic supplies and helping to rebuild health care facilities. They are uniquely qualified to provide these services. In fact, they have been on the ground since that tragic day, helping save the lives of women and children.

With these funds, UNFPA can provide safe delivery kits: soap, plastic sheeting, razor blades, string and gloves; personal hygiene kits: sanitary napkins, soap, laundry detergent, dental supplies; reestablish maternal health services; prevent and treat cases of violence against women and youth offer psychological support and counseling; and promote access of unaccompanied women to vital services.

Each of these areas is a serious problem and will go a long way towards helping save the lives of thousands of women and their children.

Disasters put pregnant women at greater-than-normal risk because of the sudden loss of medical support, compounded in many cases by trauma, malnutrition, disease or exposure to violence.

In times of high stress, pregnant women are more prone to miscarriage or to premature labor, both of which require medical care.

The infrastructure for helping pregnant women in the tsunami region is severely damaged. 1,650 of the Indonesian Midwife Association’s 5,500 members—fully 30 percent—died in the tsunami. Many of those who survived and are still dealing with personal trauma and the loss of equipment used to safely deliver babies.

About 15 percent of pregnancies under normal conditions require urgent assistance from midwives or doctors to ensure the health and survival of the babies and mothers. Many maternity hospitals, women’s health clinics, and other infrastructure for providing health services to women, maternal health assistance, safe delivery, contraceptives, emergency obstetric care, and preventing sexually transmitted diseases have been destroyed by the tsunami.

Mr. Chairman, to date, the United States has provided no funding to the U.N. Population Fund to help tsunami victims. The last time the United States contributed resources to UNFPA was $600,000 for similar kinds of emergency assistance in Afghanistan in 2001.

We have several colleagues who traveled to the region earlier this year and witnessed the horror of the tragedy. They were able to see the work UNFPA has been doing to help these women. I hope that they will be able to relay their experiences today.

It is time to put politics aside. These people have suffered enough. We must do everything we can to help them.
Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

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

Mrs. LOWEY. Mr. Chairman, I thank the chairman for accepting this amendment, and I rise in support of the Maloney amendment.

With experience and success in saving lives and helping to ensure the safe delivery of tens of thousands of babies in more than 50 countries and territories, UNFPA is uniquely qualified to assist victims of the tsunami devastation. A small transfer of $3 million to the UNFPA would go a long way in making an immediate and tangible impact on the lives of women and children in Indonesia, Sri Lanka, and the Maldives.

I again thank the chairman for accepting this language, and I thank my colleague, the gentlewoman from New York (Mrs. MALONEY), for placing the language there.

The UNFPA currently has a flash appeal for $28 million, of which they have received almost 70 percent. Our contribution would represent approximately 11 percent, bringing them much closer to meeting five pressing needs in this region.

First, UNFPA is providing safe delivery kits, hygiene kits, medicines and supplies, including soap and sanitary napkins. These basic items help stem the transmission of HIV/AIDS and ensure safe childbirth and emergency obstetric care. After everything is ravaged by a natural disaster, the lack of such important and simple supplies as these can result in serious life-threatening health crises.

Second, UNFPA works to reestablish maternal health care clinics and services destroyed by the tsunami such as prenatal care and delivery assistance and post-natal care. As we know, disasters put pregnant women at much greater risk for miscarriage or premature labor. Approximately 150,000 women in the tsunami-affected region are pregnant. Fifty thousand women alone will give birth in the next 3 months.

Third, UNFPA would work to prevent and treat cases of violence against women. It is a sad fact that women are more likely to be victims of sexual assault and violence in times of crisis. We have already heard disturbing cases of widespread sexual violence in Sri Lanka. UNFPA programs help to provide emergency response, security and legal services to better protect women and children.

UNFPA programs would also offer psychological counseling to survivors and children suffering from the horror of the tsunami. In countless cases, mothers are dealing with the nearly unfathomable pain of losing their husbands and children or, conversely, children are trying to make sense of a world without their families. Many women are now faced with being the heads of their households, and their mental well-being will be paramount as they gather the strength to rebuild their communities.

And finally, UNFPA will help unaccompanied women and other vulnerable people access vital services such as water, food, health care and sanitation facilities.

UNFPA is especially well placed to do this life-saving work as it already has offices in all the tsunami-affected countries and long-standing relationships with local governments and non-governmental organizations. We all know that confusion and discord often stymie our efforts to get relief and support to those who need it most. Supporting organizations with a proven track record and programs in place is one of the most effective and cost-efficient ways to make our generous contributions go farther.

I urge my colleagues to do everything we can to help the women and children who have already been through so much with the destruction and inevitable pain. I urge you to join me in voting to support UNFPA’s important work in saving lives.

Mr. LEWIS of California. Mr. Chairman, I withdraw my point of order so we can accept the amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

I want to rise as well to support the gentlewoman from New York’s amendment dealing with the efforts the UNFPA is engaged in because we got a chance to see firsthand in visiting Sri Lanka the work that has been done.

It is true that many children were lost. It is true that 15,000, at the time that we were there, women were expected; and it is certainly true that they lost a large infrastructure of health care, particularly the women’s hospital that we were able to visit. The women’s maternity hospital was completely destroyed, and so these dollars will be crucial in helping to ensure good health care, good intervention, and safe deliveries.

I want to commend all of the leadership that is focused on this particularly narrow issue, though it may seem. It is vital that we provide the support, and I would like to encourage our colleagues to support this amendment.

Ms. LINDA T. SÁNCHEZ of California. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the Maloney-Sánchez-Crowley amendment. Let me tell my colleagues a little bit about what this amendment is about, and I will try to be brief.

It is about providing women with hygiene kits that include soap, aspirin, sanitary napkins. I, like some of my colleagues before me, had a chance to travel there and see what the UNFPA is doing there, and I urge my colleagues to support the Sánchez-Crowley amendment.

This is what the UN Population Fund distributes to women devastated by the tsunami. By voting for this amendment, you will affirm your support for women and children in dire need of our help.

The Maloney Amendment will aid the tsunami recovery effort by providing UNFPA with much-needed funding. It’s a shame that the U.S. Government has not offered their support to this organization.

I’ve traveled to some of the areas hardest hit by the tsunami and I can attest to their tremendous work. Our support for the UN Population Fund should be a top priority, because it’s one of the few organizations that provides resources for the care of women and newborn children. Again, we’re talking about soap, toothpaste, and sanitary napkins—basic needs.

UNFPA also distributes birthing kits, which are vital. Nearly half of all women give birth without a skilled attendant present, or any emergency medical care. Even those women who give birth at the hospital sometimes all that’s available to birthing women. For women who have no access to hospitals, we must support organizations that provide these kits. It’s a matter of protecting life.

UNFPA provides the bare essentials. These supplies are critical to stopping the spread of diseases, like malaria.

Today, Congress can make a statement to those hit hardest by the tsunami. We can show our commitment to the recovery effort by supporting UNFPA funding. Today we have a chance to put politics aside and support the work of an organization that is pro-mother and pro-child care.

Helping those in need is the right thing to do. This shouldn’t be a political issue, this is a moral issue. I urge you to vote yes on the Maloney/Sánchez/Crowley Amendment to help the victims of the tsunami.

Mr. SMITH of New Jersey. Mr. Chairman, for the last two decades, the United Nations Population Fund (UNFPA), has shockingly defended the coercive Chinese population control program. By refusing to give American tax dollars to the UNFPA, the United States stands solidly with the victims and against the oppressors. We must continue to do so as long as UNFPA insists on supporting the Chinese program.

Today, Representative MALONEY offered an amendment to H.R. 1268, the ‘‘Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief’’, and she described the amendment as something that would give $3 million to UNFPA. Even though she explained it as a UNFPA Amendment, I want to clarify that the language of the amendment could in no way be construed to support or give funding to UNFPA. In fact, the amendment does not even mention UNFPA. The Maloney amendment says:

In chapter 1 of title II of the bill, in the item relating to the ‘‘Economic Support Fund’’, after the first dollar amount, insert ‘‘(reduced by $3,000,000)’’.

In chapter 1 of title IV of the bill, in the item relating to the ‘‘Tsunami Recovery and Reconstruction fund’’, after the first dollar amount, insert ‘‘(increased by $3,000,000)’’.

Since the Maloney amendment simply transferred $3 million from one account to another, thereby providing aid funding without funding UNFPA, I did not oppose the amendment.

Victims of the Chinese one-child-per-couple policy have told me terrible stories. At one religious freedom meeting in China I asked what the participants knew about forced abortion policies. All three women in the group broke down in tears as they shared with me how they all had been forced to have abortions—one woman talked about how she thought God was going to protect her baby, but she was not able to escape the abortion. Other women who have gained asylum in the United States because of China’s coercive population control program have told me terrible stories of crippling fines, imprisonment of family members, and destruction of homes and property—
all to force abortion and sterilization upon millions of women. According to last year’s State Department Human Rights Report, one consequence of “the country’s birth limitation policies” is that 56 percent of the world’s female suicides occur in China, which is five times the world average and approximately 500 suicides by women each day.

Mrs. Gao Xiao Duan, a former administrator of a Chinese Planned Birth Control Office, testified before Congress about China’s policies. She explained, “Once I found a woman who was pregnant, but did not have a birth-allowed certificate. According to the policy, she was forced to undergo an abortion surgery. In the operation room I saw how the aborted child’s lips were sucking, how its limbs were stretching. A physician injected poison into its skull, and the child died, and it was thrown into the trash can.” I was a monster in the daytime, injuring others by the Chinese communists’ barbaric planned-birth policy, but in the evening, I was like all other women and mothers, enjoying my life with my child. . . . to all those injured women, to all those who were killed, I want to repent and say sincerely that I’m sorry!”

While Mrs. Gao acknowledged her part in these human rights atrocities and courageously told her story, UNFPA continues to side with the Chinese government.

Since 1995, there has been the chief apologist and cheerleader for China’s coercive one child per couple policy. Despite numerous credible forced abortion reports from impeccable sources, including human rights organizations like Amnesty International, journalists, former Chinese population control officials, and, above all, from the women victims themselves, high officials at UNFPA always dismiss and explain it all away. UNFPA has funded, provided crucial technical support and, most importantly, provided cover for massive crimes of forced abortion and involuntary sterilization.

Time and again, high officials of UNFPA have defended the indefensible and called voluntary that which is anything but. The former Executive Director of UNFPA Nafis Sadik said, “China has every reason to feel proud of and pleased with its remarkable achievements made in its family planning policy. The country could offer its experiences and special expert to help other countries.” On CBS Nightwatch she said, “The UNFPA firmly believes, and so does the government of the People’s Republic of China, that their program is a totally voluntary program.” And Sven Burmester, UNFPA’s man in Beijing, gushed over China’s achievements, “in strictly quantitative terms, it was the most successful family-planning policy ever developed.”

Maloney Amendment says that China covets UNFPA financial and verbal support of their program as a “Good-Housekeeping seal of approval” to whitewash their human rights violations. I traveled to China and met with the head of their population control program, Peng Peiyun. In our lengthy conversation, Madame Peng Peiyun told me over and over again that there was no coercion in China, and then she cited UNFPA’s participation in the program and UNFPA’s public statements where UNFPA leaders have defended it. The United States should not help UNFPA cover up China’s crimes against women and children.

In 2001, the Department of State determined that UNFPA’s activities in China violated our human rights law, thereby making them ineligible for U.S. funding. On July 21, 2001, Secretary of State Powell wrote, “Regrettably, the PRC has in place a regime of severe penalties on women who have unapproved births. This regime plainly operates to coerce pregnant women to have abortions in order to avoid the penalties and therefore to ensure a noncoercive abortion.” . . . UNFPA’s support of, and involvement in, China’s population-planning activities allows the Chinese government to implement more effectively its program of coercive abortion. Therefore, it is not permissible to continue funding UNFPA at this time. The funds that would have gone to UNFPA were instead given to aid organizations.

In 2002, China explicitly stated its Draconian population control program in law, but UNFPA still continues to support the Chinese program. The Bush Administration has consistently found UNFPA ineligible to receive funding, most recently releasing a July 15, 2004 letter where Secretary Powell said, “China continues to employ coercion in its birth planning program, including through severe penalties for ‘out of plan births’ . . . UNFPA continues its support and involvement in China’s coercive birth limitation program in counties where China’s restrictive law and penalties are enforced by government officials.”

UNFPA remains guilty of shamelessly supporting these barbaric policies against humanity, and the United States must have no part in subsidizing them. In refusing to fund UNFPA, President Bush and this Congress have taken the side of the oppressed and have refused to cooperate with the oppressor. The Bush Administration, by defunding UNFPA, continues a barbaric policy that makes brothers and sisters illegal, and makes women the pawns of the population control cadres. If UNFPA lobbied the Chinese government to stop forced abortion as aggressively as they lobby the United States to overturn human rights policy, there would be less suffering in China today.

An organization like the UNFPA that continues to support China’s one-child per couple coerced abortion policy should not be rewarded with any new funding, and the Maloney Amendment provides them no new funding.

Ms. WOOLSEY. Mr. Chairman, I rise in support of the Maloney Amendment because we must break the deadly political impasse that endanger the health of women around the world. The United Nations Population Fund (UNFPA) has the ability to provide health services and promote maternal health globally. Yet we deny them funding, choosing to focus on narrow ideological disagreements and not the lifesaving potential of their work. We simply cannot afford more delay. We must seek common ground and that is what the Maloney Amendment will do.

Disasters put pregnant women at greater than normal risk because of the sudden loss of medical support, compounded in many cases by trauma, malnutrition, disease or exposure to violence. UNFPA has always known that the tsunami took away valuable medical care for women across the affected areas in southeast Asia. Without UNFPA we wouldn’t have been able to calculate that 150,000 women are currently pregnant in this region.

Without UNFPA, these women would not have the guarantee of safe, clean environments to deliver their babies. They would not have access to the medical support and medicines they need to ensure a healthy birth. Safe and healthy childbirth should not be a political issue. While disagreements about UNFPA will certainly remain, continuing to ensure this program is there to rely on has never been more important.

In such a polarized political environment, we must not sacrifice this opportunity to move forward and renew our commitment to promote the health of women around the world. I urge my colleagues to join me in supporting the Maloney Amendment.

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

Mr. Chairman, I rise today in strong support of this Amendment that aims to commit $3 million to the United Nations Population Fund (UNFPA). The UNFPA has asked its donor countries for about $28 million for women who were victims of the tsunami. The money in this amendment is about 11 percent of what they are asking for.

In January, I visited areas devastated by the tsunami. I visited what was left of a three-story hospital. Thirteen women and infants were located here when the first wave hit. The rush of water topped a high cement fence, knocked down utility poles like tooth-picks, and shattered all of the glass windows in the front facade. Of the 300 women and their babies, all but one—a newborn—was swept away. A young woman met with one doctor who finished a C-Section—in absolute darkness, after the generators were under-water, as the rest of the building was evacuated. The hospital was practically destroyed. The beds were pushed and piled against each other, and the medications and supplies were scattered. The beds were crunched under our feet. The sheets were strewn about like wet rags, and saturated packages of medicine were thrown in useless piles.

Natural disasters are particularly harsh on pregnant women. The loss of medical care and its infrastructure is compounded by malnutrition, disease and the trauma of the disaster. These issues can cause miscarriage or early labor, which both require medical care that is unavailable. The result can be maternal death.

The situation that women face in the areas is dire. The Indonesian Midwife Association has also reported that 1,650 of their 5,500 members, that is about 30 percent of their members, died in the tsunami. Many of the surviving midwives are picking up the pieces of their own lives and dealing with their personal loss. Re-establishing maternal health services will be a main use of this money, which is of great concern to the region.

There are 150,000 pregnant women in the tsunami-affected areas who are scheduled to give birth in the next three months. They need personal hygiene kits in refugee camps; and safe birthing kits in hospitals, clinics and health centers. They need soap and sterile cotton cloth, antibiotics, emergency obstetric equipment, and drugs for treating sexually transmitted infections. They need to see gynecologists and midwives; to have access to nutrition and family-planning services; and to have access to psychological and emotional support. It is imperative that we help these women and children. The UNFPA has experience working with women in disaster areas: They have participated in emergency projects in more than 50 countries and territories. They have already have offices in tsunami-affected countries, and they understand the distinctive ways that disasters affect women and children. Women are more...
That the amounts provided under this heading—$400,000,000, may be made available to provide military financing pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

GENERAL PROVISIONS—THIS CHAPTER
Sec. 2101. Section 307(a) of the Foreign Assistance Act of 1961 is amended by striking ‘‘Iraq’’.

(DESCRIPTION)
Sec. 2102. The unexpended balance appropriated by Public Law 108-11 under the heading ‘‘Economic Support Fund’’ and made available for Turkey is rescinded.

Sec. 2103. Section 559 of division D of Public Law 108-447 is amended by adding at the end the following:

(1) Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and use of all funds for the Global Health Initiative and Global Fund to Fight AIDS, Tuberculosis and Malaria in the United States, and shall include an examination of the treatment, handling, and use of all funds under the heading ‘‘International Narcotics Control and Law Enforcement’’ and ‘‘International Narcotics Control and Law Enforcement (including transfer of funds)’’. The audit shall be conducted in accordance with generally accepted government auditing standards, and shall include an examination of the treatment, handling, and use of all funds for the Global Health Initiative and Global Fund to Fight AIDS, Tuberculosis and Malaria in the United States, and shall include an examination of the treatment, handling, and use of all funds under the heading ‘‘International Narcotics Control and Law Enforcement’’ and ‘‘International Narcotics Control and Law Enforcement (including transfer of funds)’’.

This amendment was agreed to.

The amendment was agreed to.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mrs. MALONEY).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read:

‘‘The Clerk reads as follows:

For an additional amount for ‘‘Economic Support Fund’, $376,500,000, to remain available until September 30, 2006: Provided, That these funds may be used only for assistance to be made pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

For an additional amount for ‘‘Assistance for the Independent States of the Former Soviet Union’’ for assistance for Ukraine, $33,700,000, to remain available until September 30, 2006.

DEPARTMENT OF STATE INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ‘‘International Narcotics Control and Law Enforcement’’, $594,000,000, to remain available until September 30, 2007, of which not more than $490,000,000 shall be available to provide assistance to the Afghan police: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ‘‘Migration and Refugee Assistance’’, $53,400,000, to remain available until September 30, 2006: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for ‘‘Nonproliferation, Anti-Terrorism, Demining and Related Programs’’, $17,200,000, to remain available until September 30, 2006: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

MILITARY ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for the ‘‘Foreign Military Financing Program’’, $250,000,000.
available for costs of establishing and operating a Sudan war crimes tribunal.

RELATED AGENCY
BROADCASTING BOARD OF GOVERNORS
INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for “International Broadcasting Operations” for activities related to broadcasting to the broader Middle East, $4,800,000, to remain available until September 30, 2006: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CHAPTER 3
DEPARTMENT OF AGRICULTURE
FOREIGN AGRICULTURAL SERVICE
PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for “Public Law 480 Title II Grants”, $150,000,000, to remain available until expended: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

TITLE III—DOMESTIC APPROPRIATIONS FOR THE WAR ON TERROR
CHAPTER 1
DEPARTMENT OF ENERGY
NATIONAL NUCLEAR SECURITY ADMINISTRATION
DEFENSE NUCLEAR NONPROLIFERATION

For an additional amount for “Defense Nuclear Nonproliferation”, $110,000,000, to remain available until expended: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS
For an additional amount for “Acquisition, Construction, and Improvements”, $49,200,000, to remain available until September 30, 2007: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

AMENDMENT No. 3 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. 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 Ms. Jackson-Lee of Texas:
Page 46, after line 20, insert the following:

IMMIGRATION AND CUSTOMS ENFORCEMENT
SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, hereby derived from the amounts provided in this Act for “United States Coast Guard—Operating Expenses”, $10,000,000.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the gentleman’s amendment.

1500

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me acknowledge the full committee and the members of the appropriate subcommittee dealing with Homeland Security and, as well, the full committee chairman’s just recent statement on this issue.

But Mr. Chairman, I would hope that if a point of order is in order, I would hope that that point of order could be waived. And let me share with you why. This amendment is a very narrow amendment, very limited in its request. But it is documented and based upon testimony given by the very principals who are entrusted with the responsibility of Homeland Security.

Former outgoing DHS Deputy Secretary James Loy indicated that in testimony to the Appropriations Subcommittee on Homeland Security, that ICE, the Immigration, Customs and Enforcement, needed an additional 300 million in order to finish the fiscal year 2004. This is an emergency.

Officer Callahan before the Judiciary Committee just a few days ago on March 10 and indicated that in 5 days we might see the closing of the operations of ICE. That is the internal enforcement agency that deals with protecting the homeland internally.

Now, I have stood on the floor of this House over and over again, and I have said that immigration does not equate to terrorism. There are hard working individuals who are undocumented in this country who clearly have come here for economic reasons.

But we also know that coming across the southern border there are what we call OTMs, Other Than Mexicans, and they come across the border. They are not detained. And they have given a document to retain to come back to court for a court date, and they are released on their own recognizance.

And do you realize that many of them, some who are coming from countries that have terrorist activities and attitudes toward the United States, and they are able to come up through the southern border, cross into the United States with absolutely no punitive measures whatsoever. Why? Because we are shortened at the border and we are seeing all sorts of immigration enforcement inside the country, and there are no detention beds.

And so I rise today to be able to submit an amendment to ask for $40 million, that is all, to be able to carry this entity for a few more days and to be able to respond to the need for more Immigration, Customs and Enforcement Officers.

Immigration Enforcement Agent Randy Callahan testified on ICE’s financial difficulties, and I realize that there is still a need to fix the financial problems at ICE. But fixing the financial problems, which I understand the agency is proceeding under the new Secretary of Homeland Security, does not in any way give reason to deny extra funds for an organization that is entrusted with the security of this Nation. We can find common ground on security and immigration. This happens to be an opportunity to provide the resources for this agency in order for it to avoid closing its doors.

His description of the problems ICE is having financially confirm the concern that I have had for some time. We do not have enough officers to do not have enough training, and certainly we do not have enough staff in order to do their job.

Training programs have been postponed. They have halted training for approximately 2000 former Detention Enforcement Officers who are reclassified and combined with the Immigration Agent position called Immigration Enforcement Agents.

Mr. Chairman, that these officers are still carrying the old IDs and old ID cards and old badges? Why? Because we do not have enough money to give them new badges and new cards. Can we not include them in this emergency supplemental? This is an emergency.

You have officers who are carrying incorrect identification and officers who have not been trained who have been transferred into Homeland Security who are now supposed to be Immigration, Customs Enforcement Officers.

Tragically, one of our officers lost his life in the Atlanta courthouse killings, a man who had served for a good number of years. We owe officers who are willing to put their life on the line, no matter what way they have lost it, to be able to provide them with the resources necessary.

ICE has approximately 900 agents who have not yet been trained. Without this training, ICE cannot use these officers for any type of law enforcement function except transportation officers and possibly some computer work. And as I said to you, they have no badges, and they have no ID cards.

There is no money for uniforms, so ununiformed Immigration Enforcement Agents are not able to order replacement uniforms. In fact, the uniforms being used nationwide right now still have Immigration Naturalization Service patches on them despite the fact that the INS no longer exists.

Lack of funds appears to be causing detention facilities problems in San Diego, California and other places.

Let me just simply say we have the documentation, Mr. Chairman. I rise to ask my colleagues to support this amendment to ICE, and I also will add that we need to support the Palestinian money and the Sudan money. But I hope that we will know that we have to secure the homeland by providing extra dollars to respond to the needs of our own staff here in the Department of Homeland Security.

Mr. Chairman, as the ranking member of the Subcommittee on Immigration, Border Security, and Claims, I have learned of a budget...
Mr. LEWIS of California. I have asked for a ruling of the Chair.

The Acting CHAIRMAN (Mr. SHIMKUS). The Chair will hear each member on his or her own time. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE) to speak on the point of order.

Ms. JACKSON-LEE of Texas. Mr. Chairman, my understanding of an emergency supplemental is to deal with emergency funding situations in the way that the present language speaks directly to Coast Guard, which is part of now the Department of Homeland Security. This amendment amends that section and asks and has a viable offset and asks simply to allow $40 million of that amount to be able to be utilized for the underfunded ICE agents that do not have uniforms, that do not have badges, that do not have IDs.

Frankly, I believe if we are to do our work in Iraq, whether we agree or disagree with the war in Iraq, we do know that it is represented to us by the administration to be a war on terror. How can we fight the war on terror in Afghanistan and Iraq and not fight the war on terror in this country within our boundaries?

The Immigration Customs and Enforcement helps us do that. It separates out those who intend to do us harm from those who are here who may be undocumented but are here simply for economic reasons.

We need to be able to thwart those who may come across the border to do us harm and are not caught at the border. We need to be able to have the agency well equipped to protect us by securing those individuals and detaining them. Without those resources they cannot even continue.

Do not take my word. Take the word of Admiral Loy, who indicated that they needed more dollars to finish out the fiscal year.

I would ask my colleague, and I would also ask at this moment, that if he pursues his point of order, whether or not we will have the opportunity, whether in conference or as we continue the appropriations process, to focus on the lack of funding for the Immigration and Enforcement Officers, Immigration, Customs and Enforcement Officers, the Border Patrol, which I think you are aware of, and the detention beds.

I would like very much to yield to the chairman, and on this issue I think we are all in common agreement about the need to secure our homeland.

The Acting CHAIRMAN. Does the gentleman from California wish to be heard further on the point of order?

Mr. LEWIS of California. Mr. Chairman, reluctantly I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation on budget totals for fiscal year 2005 on July 22, 2004. The amendment would provide new budget authority in excess of the committee allocations and is not permitted under section 302(f) of the act. I ask for the ruling of the Chair.

Ms. JACKSON-LEE of Texas. Will the gentleman yield for just a moment?
heading prior to enactment of this Act, including Public Law 480 Title II grants: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress): Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, AIR FORCE
For an additional amount for “Operation and Maintenance, Air Force”, $30,000,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OPERATION AND MAINTENANCE, DEFENSE-WIDE
For an additional amount for “Operation and Maintenance, Defense-Wide”, $25,150,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID
For an additional amount for “Overseas Humanitarian, Disaster, and Civic Aid”, $36,000,000, to remain available until September 30, 2006: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CHAPTER 3
DEPARTMENT OF DEFENSE
DEFENSE HEALTH PROGRAM
For an additional amount for “Defense Health Program”, $3,600,000 for operation and maintenance: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CHAPTER 4
DEPARTMENT OF THE INTERIOR
UNITED STATES COAST GUARD
OPERATING EXPENSES
For an additional amount for “Operating Expenses”, $350,000: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CHAPTER 5
DEPARTMENT OF THE INTERIOR
UNITED STATES GEOLOGICAL SURVEY
SURVEYS, INVESTIGATIONS, AND RESEARCH
For an additional amount for “Surveys, Investigations, and Research”, $8,100,000, to remain available until September 30, 2006: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

CHAPTER 6
DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
OPERATIONS, RESEARCH, AND FACILITIES
For an additional amount for “Operations, Research, and Facilities”, $4,830,000, to remain available until September 30, 2006: For United States tsunami warning capabilities and operations: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

PROCUREMENT, CONSTRUCTION AND CONSTRUCTION
For an additional amount for “Procurement, Construction and Construction”, $9,670,000, to remain available until September 30, 2007, for United States tsunami warning capabilities: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

TITLE V—GENERAL PROVISIONS AND TECHNICAL CORRECTIONS
S. 5001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

(INCLUDING TRANSFERS OF FUNDS)
S. 5002. Notwithstanding any other provision of law, upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds previously made available in the Department of Defense Appropriations Act, 2005 (Public Law 108-287): Provided, That the amounts transferred shall be made available for the same purpose and the same time period as the appropriation to which transferred: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense: Provided further, That the amounts shall be transferred between the following appropriations, in the amounts specified:

To:
Under the heading, “Research, Development, Test and Evaluation, Air Force, 2005/2006”, $500,000:

From:
Under the heading, “Other Procurement, Air Force”, $500,000;

To:

From:

S. 5003. Funds appropriated by this Act may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-296) and section 10 of Public Law 91-672 (22 U.S.C. 2412), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 411).
inserting “to participate in licensing activities and other appropriate activities pursuant to the Act”.

S. 5006. Section 144(b)(2) of title I of division B of Public Law 108–147 is amended by striking “September 24, 2004” and inserting “November 12, 2004”.

S. 5009. In the statement of the managers of the committee of conference accompanying Public Law 108–147, in the matter in title III of division F, relating to the Fund for the Improvement of Education under the heading “Innovation”:

(1) the provision specifying $500,000 for the Mississippi Museum of Art, Jackson, MS for Hardy Middle School Art School Program shall be deemed to read “Mississippi Museum of Art, Jackson, MS for a Mississippi Museum of Art After-School Collaborative”;

(2) the provision specifying $2,000,000 for the Milken Family Foundation, Santa Monica, CA for the Teacher Advancement Program shall be deemed to read “Teacher Advancement Program Foundation, Santa Monica, CA for the Teacher Advancement Program”;

(3) the provision specifying $1,000,000 for Battle for Kids, Columbus, OH for a multi-state initiative to find and learn the best effective ways for accelerating student academic growth shall be deemed to read “Battling for Kids, Columbus, OH for a multi-state effort to implement, evaluate and learn the most effective ways for accelerating student academic growth”;

(4) the provision specifying $750,000 for the Institute of Heart Math, Boulder Creek, CO for a teacher retention and student dropout prevention program shall be deemed to read “Institute of Heart Math, Boulder Creek, CA for a teacher retention and student dropout prevention program”;

(5) the provision specifying $200,000 for Fairfield County Public Schools, Fairfield, VA for Chinese language programs in Franklin Sherman Elementary School and Chesterbrook Elementary School in McLean, Virginia shall be deemed to read “Fairfax County Public Schools, Fairfax, VA for Chinese language programs in Shrewsbury Elementary School and Wotlipart Elementary School”;

(6) the provision specifying $1,250,000 for the University of Alaska/Fairbanks in Fairbanks, AK, working with the State of Alaska and Career Services for the Alaska System for Early Education Development (SEED) shall be deemed to read “University of Alaska/Southeast in Juneau, AK, working with the State of Alaska and Career Services for the Alaska System for Early Education Development (SEED)”;

(7) the provision specifying $25,000 for QUILL Productions, Inc., Aston, PA, to develop and disseminate programs to enhance the teaching of American history shall be deemed to read “Quill Entertainment Company, Aston, PA, to develop and disseminate programs to enhance the teaching of American history”;

(8) the provision specifying $750,000 for City of St. Charles, MO for the St. Charles Foundry Arts Center in support of arts education shall be deemed to read “The Foundry Art Center in St. Charles, Missouri for support of arts education in conjunction with the City of St. Charles, MO”;

(9) the provision specifying $100,000 for the Consolidated Appropriations Act, 2005, (Public Law 108–147) for arts education shall be deemed to read “Chester Economic Development Authority, Chester, PA for a community arts program”;

(10) the provision specifying $10,000 for Kids with A Promise—The Bowery Mission, Bushkill, PA shall be deemed to read “Kids with A Promise—The Bowery Mission, New York, NY”;

(11) the provision specifying $50,000 for Great Projects Film Company, Inc., Washington, DC for a documentary entitled “America: A Film” a documentary about the challenges facing our public schools shall be deemed to read “Great Projects Film Company, Inc., New York, NY for a documentary entitled “America: A Film” a documentary about the challenges facing our public schools”;

(12) the provision specifying $30,000 for Summer Camps, Provide an Edge (SCOPe), New York, NY for YMCA Camps Skycrest, Speers and Elizalber shall be deemed to read “American Camping Association for Summer Camps, Provide an Edge (SCOPe), New York, NY for YMCA Camps Skycrest and Speers—Elizalber”;

(13) the provision specifying $183,000 for Space Education Initiatives, Green Bay, WI for the Wisconsin Space Science Initiative shall be deemed to read “Space Education Initiatives, De Pere, WI for the Wisconsin Space Science Initiative”.

S. 5010. In the statement of the managers of the conference accompanying Public Law 108–147, in the matter in title III of division F, relating to the Fund for the Improvement of Education under the heading “Higher Education”:

(1) the provision specifying $345,000 for the Bellin-Blank Center at the University of Iowa, Iowa City, IG 10 for school initiative to improve minority student access to Advanced Placement courses shall be deemed to read “University of Iowa, Iowa City, IA for a school initiative to enhance math and science opportunities for rural Iowa students”;

(2) the provision specifying $150,000 for Mercy College, Dobbs Ferry, NY, for the development of a registered nursing program shall be deemed to read “Mercy College, Dobbs Ferry, NY, for the development of a master’s degree program in nursing education, including marketing and recruitment activities”;

(3) the provision specifying $100,000 for University of Alaska/Southeast to develop distance education coursework for arctic engineering courses and programs shall be deemed to read “Alaska System Office to develop distance education coursework for arctic engineering courses and programs”; and

(4) the provision specifying $100,000 for Culver-Stockton College, Canton, MO for equipment and technology shall be deemed to read “Culver-Stockton College, Canton, MO for equipment and technology”.

S. 5011. The matter under the heading “Corporation for National and Community Service Programs Operating Expenses” in title III of division I of Public Law 108–147 is amended by inserting the following:

“(3) to the extent that the Corporation may use up to 1 percent of program grant funds made available under this heading to defray its costs of conducting grant application reviews, including the use of outside peer reviewers.”

S. 5012. Section 114 of title I of the Consolidated Appropriations Act, 2005 (Public Law 108–147) for “Educating America” is amended by inserting before the period the following:

“—for the consolidation or reorganization of the Corporation’s State, Tribal, Local and Community Services Programs Operating Expenses”.

S. 5013. Section 117 of title I of the Consolidated Appropriations Act, 2005 (Public Law 108–147) is amended by inserting “in an amount to be determined and merged with” and inserting “may be de-
Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARRETT of New Jersey: At the end of title V (relating to general provisions), insert the following:

SEC. 5024. The District of Columbia Appropriations Act, 2005—

(a) Offsetting Government-Wide Rescission.—Of the discretionary budget authority provided in appropriation Acts for fiscal year 2005 (other than this Act), there is rescinded the total amount determined by the Director of the Office of Management and Budget to be required to offset the discretionary budget authority that is provided in titles II and IV of this Act (relating to international programs and tsunami relief and designated as an emergency requirement.

(b) Application.—The rescission made by subsection (a) shall take effect upon the enactment of this Act:

(1) shall not apply to the discretionary budget authority provided for the Departments of Defense, Homeland Security, and Veterans Affairs;

(2) shall not apply to the discretionary budget authority provided for education, training, instrumentation, and entity of the Federal Government;

(c) Report.—Within 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and Senate in writing a report specifying the reductions made to each account, program, project, and activity pursuant to this section.

Mr. GARRETT of New Jersey (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record.

The Acting CHAIRMAN (Mr. SHIMKUS). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Mr. GARRETT of New Jersey. Mr. Chairman, the question before us today, I believe, is how now shall we live within the confines of the budget that we have to deal with? Shall we live within the boundaries that we have set for ourselves and set an example for our generation today and the future, or should we ignore those boundaries that we have imposed upon ourselves and spend in excess?

Right now we are in the process, as we know, of doing the budget for next year, the 2006 budget. We are setting up the framework of what we will be spending for next year. And so I think it is fitting and appropriate that we look at the supplemental today and the amendment that I have presented to you will fit within that budget confines, whether or not we will fit within that area or, instead, will we exceed it and say that a budget really is nothing more than a charade and not explain exactly what we will be spending for any point in time.

Let me just say that I applaud the chairman, and I applaud the members of the committee for doing what they would do; we do it repeatedly as reported in the paper. To use the chairman's own words, they have taken the President's proposal and scrubbed it thoroughly for many points that they thought appropriate to remove from the spending proposal. My question is, though, is can we do a little bit better? Can we go a little bit further? Can we do exactly what we ask families to do back at home?

Think for a moment. What would a family do today if they faced emergency expenditures like we are looking at in the supplemental right now, families who maybe have to see extra car payments or medical expenses? What would a family do? A family would probably have to do what we should be doing. We are limiting our spending elsewhere, reduce some other unnecessary spending so that we have that money for the emergency spending.

But, you see, in the supplemental, there are a number of points in there that have already been raised by others. I will just point to one of them, the aid for tsunami victims. That started at $35 million, went up to $150 million, then $250 million, and now we are looking at $950 million. And so you and me would question whether we can even spend all that before the end of this fiscal year. As a matter of fact, I spoke with people from the World Bank and they said that they are not even sure where the money would all be going to. They do not have an exact figure as to what we should be spending on long-term needs, so we can question whether or not we should be spending that money.

But given that we can argue that back and forth, let us take that as given that we should spend the entire $950 million for tsunami relief. I would ask this, as we stand here before the world as a body saying that we are going to do the charitable thing and give the money to the people, do we really exercising any charity there when we, in fact, say, we're not going to be paying for it, we're asking our kids and our grandkids to pay for it in excessive spending and deficit spending in future generation. Some would question whether we can even spend all that before the end of this fiscal year.

Again, I applaud the chairman for the good start that they have done in this committee by scrupuling the budget and trying to find some offsets. I would simply say, can we not do a little bit better and find completely all offsets for all of the spending that we are doing, aside from the military defense spending, for all the excessive spending in the bill? It is around $4 billion. How much would it really come out to be? If you are looking at the bill that we have right now, how much would we are living under, $2.5 trillion, and you are trying to find savings or offsets of around $4 billion, that is only two-
tenth of 1 percent, I would ask, can we not find two-tenths of 1 percent of waste, fraud and abuse in the entire fiscal budget that we are operating under right now? I think we can.

We ask families to do it for their budget, to put theirefforts in order to do it for their budgets. I think we can find that entire amount of approximately $4 billion of waste, fraud, and abuse in the entire budget, offset it, and then we can truly stand before the world and say we are making charitable contributions to the tsunami relief victims, that it is truly coming from this generation and not being passed on to future generations.

I shall end where I began. How now shall we live? We shall live within the means, by the parameters that we have set down upon ourselves. We shall live within the budget that we have set for ourselves and not outside that budget.

Mr. LEWIS of California. Mr. Chairman, while I am very empathetic to the gentleman’s concern, for I have many a grandchild myself, I make a point of order against the amendment because it propels to change existing law and constitutes legislation in an appropriation bill and 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.” In this case, the amendment addresses funds in other acts, and so I have to reluctantly ask the Chair to rule.

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

Mr. GARRETT of New Jersey. Mr. Chairman, I am sorry. I should have stepped in before the gentleman stood up to say, in light of knowing the rules of the House, that was about to withdraw the amendment.

Mr. LEWIS of California. Mr. Chairman, in that event, I withdraw my point of order.

The Acting CHAIRMAN. The gentleman from California withdraws the point of order; and without objection, the gentleman from New Jersey withdraws the amendment.

There was no objection.

Amendment Offered by Mr. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment. The Clerk read as follows:

Amendment offered by Mr. FILNER: At page 58, clause 2 of rule XXI, insert the following new section:

SEC. 4502. In addition to amounts otherwise appropriated in this Act, there is hereby appropriated for the fiscal year 2005, for Department of Veterans Affairs—Veterans Health Administration—Medical Services, $3,130,000,000: Provided, That the amounts provided by this Act shall not be in order if changing existing law and constitutes legislation in an appropriation bill and therefore violates clause of rule XXI.

The amendment states in pertinent part: “An amendment to a general appropriation bill shall not be in order if changing existing law.” In this case, the amendment addresses funds in other acts, and so I have to reluctantly ask the Chair to rule.

Mr. LEWIS of California. Mr. Chairman, I make a point of order against the amendment because it propels to change existing law and constitutes legislation in an appropriation bill and 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 includes an emergency designation and as such constitutes legislation in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.
entitled to this care because he is using a rule which is not being used for the $31 billion that we have on the floor but is used for this $3 billion that we are trying to use for our Nation’s veterans.

Madam Chairman, I understand these rules, and I understand these technical points of order. They are designed to protect certain amendments and not have others. Fine. But when one uses that rule to shut out the veterans of this Nation, to shut out the troops that are coming back from Iraq and Afghanistan, from the care that they deserve and will need, we are going to shut down PTSD programs, Madam Chairman, all across this Nation, and yet every soldier and Marine is going to come back with potentially that disorder.

So one can use all the rules, but what we are doing here is immoral, it is unconscionable, it is outrageous that we would be treating the veterans in this way...

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

Last fall the State of Florida withstood an historic four hurricanes causing enormous devastation and damage to property, waterways, homes and individuals’ lives. I commend the relief efforts in the aftermath of the hurricanes as well as the willingness of Congress to step forward and offer meaningful relief to hurricane victims. But there are two issues for which the Department of Homeland Security, Federal Emergency Management Agency should recognize under their current statutory authority to effectively address Florida hurricane-related damage.


At this time, Madam Chairman. I yield to the distinguished chairman, the gentleman from Kentucky (Mr. ROGERS), to ask how was Florida hurricane disaster aid reflected in the designation of FEMA disaster relief funds?

Mr. ROGERS of Kentucky. Madam Chairman, will the gentleman yield?

Mr. PUTNAM. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Madam Chairman, House Report 108-773 which accompanied the Military Construction Emergency Hurricane Supplemental Bill states, The conferees agree to provide an additional $6.5 billion for disaster relief activities associated with declared disasters such as Hurricanes Frances, Ivan and Jeanne.

Supplemental funds appropriated in the wake of the four hurricanes may be used by FEMA in administering relief to stricken communities and victims in areas such as Florida where the President declared disaster areas that meet current statutory eligibility under the Stafford Act.

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

I would like to ask the chairman, is it his understanding that the administration has the authority under the Stafford Act to remove debris from the private lands when it is in the public interest?

Mr. ROGERS of Kentucky. Madam Chairman, it is my understanding that the Stafford Act authorizes the removal of wreckage and debris resulting from a major disaster from both public and private lands when the President determines that it is in the public interest.

Mr. PUTNAM. I thank the chairman for his time and attention to this most important effort. It is my hope that this collogoy brings clarity and direction to FEMA as it administers the critical disaster relief funds.

The CHAIRMAN (Mrs. BIGGERT). The Clerk will read.

The Clerk reads as follows:

TITLE VI—HUMANITARIAN ASSISTANCE
CODE OF CONDUCT

SECTION 6001. SHORT TITLE.
This title may be cited as the “Humanitarian Assistance Code of Conduct of Act of 2005”.

SEC. 6002. CODE OF CONDUCT FOR THE PROTECTION OF BENEFICIARIES OF HUMANITARIAN ASSISTANCE.
(a) Prohibition. The funds made available for foreign operations, export financing, and related programs under the heading “Disaster Assistance”, “United States Emergency Refugee and Migration Assistance Fund”, “International Disaster Assistance” or “Transition Initiatives” may be obligated to an organization that fails to adopt a code of conduct that provides for the protection of beneficiaries of humanitarian assistance under any such heading from sexual exploitation and abuse in humanitarian relief operations.

(b) Definition. A code of conduct referred to in subsection (a) shall, to the maximum extent practicable, be consistent with the following six core principles of the United Nations Code of Conduct for the Community Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises:

(1) “Sexual exploitation and abuse by humanitarian workers constitute acts of misconduct and are therefore grounds for termination of employment.”

(2) “Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistakenly regarding the age of a child is not a defense.”

(3) “Exchange of money, employment, goods, or other favors for sexual advances or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes exchange of assistance that is due to beneficiaries.

(4) “Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.”

(5) “Where a humanitarian worker develops a sexual relationship with a beneficiary of assistance under any such heading, the worker shall remove all contact with the beneficiary.

(6) “Humanitarian agencies are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.”

SEC. 6003. REPORT.
Not later than 180 days after the date of the enactment of this Act, and not later than one year after the date of the enactment of this Act, the President shall transmit to the Committee on Appropriations and the Committee on International Relations of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate a detailed report on the implementation of this title.

SEC. 6004. EFFECTIVE DATE; APPLICABILITY.
This title—
(1) takes effect 60 days after the date of the enactment of this Act; and
(2) applies to funds obligated after the effective date referred to in paragraph (1)—
(A) for fiscal year 2005; and
(B) any subsequent fiscal year.

AMENDMENT OFFERED BY MR. TANCREDO OF COLORADO.
Mr. TANCREDO. Madam Chairman, I offer an amendment.

The Clerk reads as follows:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 7001. None of the funds made available under the heading “TITLe IV—INDIAN OCEAN TSUNAMI RELIEF—CHAPTER 1—FUNDS APPROPRIATED TO THE PRESIDENT—OTHER BILATERAL ASSISTANCE—TSUNAMI RECOVERY AND RECONSTRUCTION FUND (INCLUDING TRANSFERS OF FUNDS) may be used to provide emergency relief, re-habilitation or reconstruction aid.”

Mr. TANCREDO. Madam Chairman, my amendment would strike all of the taxpayer funded relief provided in the bill to the countries affected by the Indian Ocean tsunami.

After reviewing information from the Center for Philanthropy and University detailing the level of private American contributions to the tsunami relief, I am not sure we need to spend extra taxpayer dollars for that purpose. Already some 130 private organizations are providing tsunami relief. Several private companies are also providing relief through their local offices in the region.

According to the report, some $800 million has already been provided by these organizations in cash. In addition, another $101 million has been provided--kind donations that brings the total to $1 billion already, close to $1 billion, and that total does not include all the person-to-person aid that is not accounted for in the study.

Since the disaster many Americans have looked into their hearts and reached into their wallets in an effort to help alleviate the suffering in Thailand, Indonesia, Sri Lanka, and other affected nations.

One of these companies, as a matter of fact, a company called CH2M Hill, was one of the first on the scene to provide critical services to victims ever since. They partnered with other countries to provide a clean drinking water purification system to people in Indonesia. The quality of the water is equivalent to bottled water and is currently being provided throughout the country, including to the U.N. compound and more than 120 camps.

The system is currently purifying water at the rate of 600 gallons per minute, producing 864,000 gallons of purified water each day, helping nearly a quarter of a million people each day.

I am proud of the efforts of CH2M Hill. I am proud of all of the Americans who have given so much to alleviate the suffering. Their efforts and indeed all of the efforts are to be commended. They help demonstrate that the strength of America’s compassion is best measured by the efforts of individual citizens and private organizations and companies that number of government programs we create or the amount of Federal appropriations we dole out.

Given this era of tight budgets and the need to provide for disasters here at home like the hurricanes that ravaged Florida, wildfires that burned through the West, tornados that hit middle America, we simply cannot ask
Americans to be all things to all people.

People have already donated what they can. We should not exact further tax dollars from them for this purpose.

Madam Chairman, I do not approach this issue frivolously or lightly. I believe that the issues are significant and serious. I believe that, in fact, if more money is needed, we need to do it as a result of a study and careful examination of exactly what needs are still out there. And I do believe that in fact NGOs are saying that there is more money than they can even deal with. Some of the NGOs have indicated that people are running into each other with. Some of the NGOs have indicated that in fact NGOs are saying that there is more money than they can even deal with. Some of the NGOs have indicated that people are running into each other essentially. Too many people, too much money flooding the country at the present time.

If more money is needed, I suggest it be provided in a later appropriation under a regular rule. I do not believe that any longer we can consider it to be an "emergency" and I certainly do not believe that this qualifies for categorization under this supplemental.

I have no illusions about the possibility of the passage of this amendment. I know it will probably fail and probably fail pretty dramatically. I recognize that. But I do feel it is important to at least bring to the attention of my colleagues and to the Nation that I think a great deal has been done. I am proud of every single American who has donated. It does come from their heart. That is the way we should provide for these things. That is not the way this bill intends to do it.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I strongly oppose this amendment. I think most of my colleagues know that there were at least 225,000, maybe many more than that, people who were killed in the countries affected by the December 2004 tsunami, most particularly Indonesia, Sri Lanka, Thailand, and many other countries as well. There were 1.1 million displaced persons, 1.1 million displaced persons. This is a disaster and it is an emergency.

The President has outlined a recovery plan. This amendment, although it does not strike the dollars, makes funding ineligible to be spent for these purposes. Some of these funds would go to reimburse accounts already depleted, USAID accounts, emergency disaster accounts, that have been previously spent. So it is very important that we retain those accounts and that we retain the money for those.

The rest of the funds are for a reconstruction plan that has been I think fairly well thought out. It is not, I do not think, extraordinary given the size of the catastrophe that we have experienced, $340 million to rebuild infrastructure, roads, ports, bridges, water treatment plants and a signature project which would be the construction of a 250 kilometer stretch of road from the capital, Banda Aceh, at the north end of Sumatra down the west coast to Meulaboh in Indonesia.

This road is the only link that these little communities that are utterly devastated and destroyed by the tsunami—this road is the only link that these communities will have with the outside world.

These reconstruction projects need to get under way immediately. Until that happens, the only way to get relief supplies to these little valleys which on the back side has a very high ridge of mountains and no access by road, the only way to get supplies to them is by air, a very expensive project. The road needs to be constructed. I think it is an emergency and I believe most of my colleagues would agree with that.

The U.S. has had a history of responding in a very compassionate way to disasters wherever they occur, here in the United States and also abroad, and I believe that this compassion is something that marks Americans and makes us who we are. And I would certainly think that we would all agree that these funds are a relatively small amount of money, given the total level of devastation of the disaster there, a relatively small amount of money to help this area recover and to replenish the money that was already spent in relief.

Mr. Chairman, I urge my colleagues to defeat this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

I heard my good friend from Colorado (Mr. TANCREDO) say that this amendment likely will not pass, but I hope maybe the debate will seek and help to convince him of the enormity of the crisis or at least the need in places like Sri Lanka, Indonesia and many other countries that are impacted by the tsunami.

If I might draw the gentleman's memory to the video that showed a single train that had been the lifeline of Sri Lanka, a train that I took, and in visiting Sri Lanka with a number of my colleagues, to see the enormous devastation in terms of the infrastructure of these countries, then the gentleman would realize that in addition to the charitable heart that Americans have and the private contributions that have been made, and might I acknowledge the many donations given from the City of Houston and the Houston Tsunami Relief Effort and the Vietnamese Relief Effort and Sri Lankans and those from Thailand and many, many others in the City of Houston and the effort waged by President Clinton and President Bush, and in my community, Jim Mackinville, and many others who worked hard to draw money out of Houston, and I know many other cities and States did the same.

But the infrastructure dollars are so very important. So I would hope that my colleagues would oppose this amendment because you cannot imagine, I believe, the depth of the amendment and the need to rebuild those countries, and those dollars will help to do so.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the requisite number of words from the amendment that we have before us today. There is, I think, a wide range of opinion that is available for us to debate the merits of a wide range of things in this bill. And I appreciate that people are coming forward in good spirit. But I assure you that I do not want to say it was my privilege, but I had the opportunity to spend time after the tsunami a couple of weeks after it hit with a bipartisan delegation led by the gentleman from Iowa (Mr. LEACH), Senator BROWNBACK, touring the area.

I assure you that the testimony about the devastation is, if anything, understated. The pictures that we saw ourselves did not do justice. But I was struck by the impact of the generosity that was shown by Americans in uniform, civilian employees, members of NGOs who were there.

There was some bad publicity initially surrounding what appeared to be a lack of compassion on the part of the United States with its initial response. But that never interfered in terms of the publicity with the work that was done by the United States and our partners. We built amazing goodwill for this country while we helped these traumatized areas heal.

I think what has been offered by the President, by the committee, is the least that we can do. It will pay dividends many times over. I think that it would be unfortunate even to bring this proposal to a vote. It is sending the wrong signal about the United States' intention.

We are certainly, on a per capita basis, not giving more than Australia, Scandinavia, Germany. For us to indicate that there is a sense here could only be interpreted as our being callous and unfeeling. I think, is the wrong message to send to these people in these traumatized countries. I think it is the wrong thing to send to the international community.

I will say, Mr. Chairman, in the course of the visit, I had people who were Americans in business, people working with the NGO communities, foreign parliamentarians, all talking about the damaged relationship that the United States has, the image that we have in this region, and how amazing they felt the progress was being made by the work that was being done by our country.

This amendment and any support for it, I think, is sending the wrong signal.

And I strongly urge its rejection. I sincerely hope that it is rejected, if necessary. I do not think it can be withdrawn. But I hope people make no mistake about how people are watching our actions for the signals we send around the world.
Mr. REYES (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The Acting CHAIRMAN (Mr. CAMP). Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIRMAN. Is there objection to considering the amendments en bloc?

There was no objection.

The Acting CHAIRMAN. Is there objection to returning in the reading to page 33, line 14?

There was no objection.

Mr. KOLBE. Mr. Chairman, I reserve a point of order on the gentleman's amendment, and since the gentleman from Texas has already spoken, I do not know whether he intends to speak again before I make the point of order or whether he is prepared to go forward at this time.

The Acting CHAIRMAN. The point of order is reserved.

The gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

Mr. REYES. Mr. Chairman, I yield to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Chairman, I thank the gentleman for yielding.

I want to thank the gentleman from Texas (Mr. REYES) for bringing us these two amendments. Again, these are for national security emergency issues, border patrol agents at our border.

I represent all the California-Mexico border. I know that we need these agents. The President asked for them, and yet he did not put the money in to pay for them.

In addition, every veterans group and the VA itself say to complete the year, giving the services they need, they need another $1.3 billion. This is truly an emergency.

The rules that will be used once again fail to say that our national defense at the border, our veterans to get their adequate health care, somehow we violate the rules, but let us not violate common sense. Common sense says we need these funds. We need this protection. We need these services for our veterans.

Let us dispense with the technical objections and fund what we need for our veterans and for our border defense.

POINT OF ORDER

The Acting CHAIRMAN. Does the gentleman wish to be recognized on his point of order?

Mr. KOLBE. Yes, Mr. Chairman. I make the point of order, as the chairman of the full committee has said on several occasions. I am more than sympathetic. He is more than sympathetic to some of these amendments. I especially feel that way with this amendment, given the fact that it deals with something that is very dear to me, the issue of veterans' security.

However, I would make a point of order against the amendment which is not the humdrum of little technicalities. This is the rules of the House.
It proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part that an amendment to a general appropriation bill shall not be in order if in changing existing law it gives affirmative direction in effect.

This amendment would do that, and I ask for a ruling from the Chair.

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

Mr. FILNER. Mr. Chairman, let me reiterate what I said about nitpicking and arcane rules. This whole bill is a violation of the rules of the House except for the fact that it says in the bill it does not violate the rules. So telling us that we should have respect for the rules, my colleagues ought to show some respect for the good sense of the American people, for common sense. This whole bill is a violation of the rules without a waiver. Is that not true, Mr. Chairman? Would this bill be a violation of the rules if there was not a waiver involved in the rules?

As I said, the rules are being used to damage common sense and to damage our Nation's security and damage our health care to our veterans. I think it is a disgrace to use those rules for these purposes.

The Acting CHAIRMAN. The Chair is prepared to rule on the point of order.

The Chair finds that this amendment includes language imparting direction to an executive official.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendments en bloc are not in order.

AMENDMENT OFFERED BY MR. UPTON

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

The Clerk reads as follows:

Amendment offered by Mr. Upton: At this point in the bill (before the short title), insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

Sec. 701. None of the funds made available in this Act may be used for embassy security, construction, and maintenance.

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent that debate on this amendment and any amendments thereto be limited to 20 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

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

There was no objection.

The Acting CHAIRMAN. The gentleman from Michigan (Mr. Upton) is recognized for 10 minutes.

Mr. UPTON. Mr. Chairman, I yield myself 2 1/2 minutes.

Mr. Chairman, I offer this amendment with the gentleman from North Carolina (Mrs. MYRICK) and the gentleman from Wisconsin (Mr. KIND) in a bipartisan amendment for two main reasons: The first is cost.

What this amendment does, it says that none of the funds made available in this Act may be used for embassy security, construction, and maintenance. In essence it is about a $592 million savings amendment. I would note in a CRS document printed a couple of weeks ago, it states that the State Department has identified $950 million thus to be saved at the embassy in Baghdad. Fiscal year 2003 and fiscal year 2004 supplementary funds provided $35 million from the State's Diplomatic and Consular Program account, another $105 million came from the fourth quarter fiscal year 2004 Coalition Provisional Authority appropriations, and another $184 million of the Iraqi relief and reconstruction funds was designated for the embassy. This bill provides yet another some $590 million for this building.

The second reason that I support the amendment and oppose this provision in the bill is that we knew years ago that we were going to need a new embassy, and yet last summer when plans were laid for construction of this particular site it was not included in the omnibus appropriation bill taken up in November. The 2006 budget request which came up in February, no moneys were included in the President's budget request for that as well.

I would note that the National Taxpayers Union supports this amendment. I would also note that time and time again I supported more support for our troops, body armor, supported the President's request, but this embassy stuck into this bill with this process is not right.

We need regular order and that is why the gentleman from North Carolina (Mrs. MYRICK) and the gentleman from Wisconsin (Mr. KIND) and I are offering this amendment on a bipartisan basis.

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

Mr. LEWIS of California. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Mr. Chairman, Members should ask themselves how would they like if their children, their son, their daughter, or their husband or their wife had to work in this facility. Now we have talked a lot, and this committee has done a lot on body armor and Humvee armor. Forty-five people have been killed in the embassy in Iraq. From Irvine, California, Keith Taylor, rocket attack; Tall, Hushin, Long Island, New York, suicide bomber; Leslie Davis from Magnolia, Texas, suicide bomber; Rosharon, Texas, suicide bomber; Astoria, Oregon, suicide bomber; Chickasaw, Alabama, suicide bomber; Myrtle Beach, South Carolina, near Fallujah attack; Cleveland, Ohio; Copperas Cove, Texas; North Branch, Minnesota; South Windham, Connecticut.

This embassy was not built to be an embassy. This was Saddam Hussein's palace. It is a symbol of torture. It is not to be the symbol of the United States Government. We need to act quickly. We need to act quickly. If this amendment, if the Upton amendment were to pass there will be a 6-month period whereby they will not have the protection.

I will put this listing out so Members can review them. Fire in a wooded area, electrical fire in Saddam Hussein’s palace, again the structure was not built for it. Fire in Saddam's palace, August, 2004. I will not mention the woman's name, blood on the wall of a rocket attack whereby this young woman was killed. And here is a picture of two Americans killed the day before the Iraqi election.

We have had 1,500 military people die in the war in Iraq. It is help bringing about freedom. It is making a difference in the Middle East. It is making a difference in Egypt. It is making a difference in Lebanon. It is inappropriate for us not to fund a safe workplace for American citizens who are going to work in this embassy. It is going to be a safe workplace.

Lastly, people say this is an expensive embassy. This is an embassy, but it is a village. There is a power plant. There are housing facilities. The Beijing embassy cost $494 million. There is no threat to American citizens in Beijing. There are no terrorist attacks.

In Lebanon, 1983, 241 Marines were killed in a barracks with no setback. That same year in the American embassy in Lebanon, 11 Americans killed. There was the American bombing of the embassies in Tanzania and Kenya 1989. We have a moral obligation to the people that we are sending in this region to live in a situation and work where they will be protected.

I rise in strong opposition to this amendment. As the gentleman from California (Mr. CUNNINGHAM) said as I was walking down to the well, how would Members like it if your children, son or daughter, husband or wife had to work in this facility. I urge a no vote on the amendment.

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

Mr. KIND. Mr. Chairman, I thank the gentleman for bringing forth this amendment, with myself and the gentleman from North Carolina (Mrs. MYRICK).

With all due respect to the previous speaker, this is not about debating the merits of the necessity or the needs for a new embassy in Baghdad. Having traveled to Baghdad twice, certainly there is a strong case that can be made there do need to be moving forth on a new embassy, but this is how we are going to pay for that new embassy, getting back to regular order and procedure around here, and how we are going to afford the cost of this new embassy rather than just going into deficit spending.

This amendment speaks to a larger issue. The last time I was in Iraq,
which was last fall. I noticed one thing, we are dropping a lot of concrete in Iraq today, which is an indication that we are going to be there for a very, very long time. And year after year coming forward with more multibillion supplemental spending requests, all deficit financing, is not a sustainable policy.

We need to get back to regular procedure and regular order around here, and what better place than to start on a nonemergency creation, the sitting of a new embassy. It is easy to get it to the appropriate committee for proper oversight and hearings of deliberation, and then finding the appropriate offsets to pay for this.

I am going to support the supplemental today, as I have past supplementals. I believe our troops need to get all of the tools and resources to do their job safely and effectively. They have been doing a terrific job under very dangerous circumstances and including our State Department personnel, who are working in the current embassy within the Green Zone in Baghdad which is also at times a free-fire zone.

But at some point we as a Chamber and Congress need to get back to the regular process of starting to anticipate these costs, starting to appropriate it and budget for it so we do not leave a huge legacy of debt for future Congresses and for our children and grandchildren to inherit. That is what this amendment speaks to.

I want to especially commend a couple of units serving us so well from western Wisconsin, the 128th Infantry Guard as well as the 1158th Transportation Unit. In fact, earlier this morning I got up and ran over to Walter Reed Hospital to visit with some of our troops, including Specialist Andrew Carter from the 128th who almost had his foot blown off due to an RPG that was fired at him during one of his passing patrols.

Just last week we lost another member from western Wisconsin who was shot down in the line of duty, Staff Sergeant Andrew Bossert. He will be buried in Wisconsin this Thursday. I am sure Members will join me in sending our thoughts and prayers to his family, his parents, but especially to his wife Olya who lives in Wisconsin.

What we need to start considering at some point is whether or not the ongoing costs in Iraq and Afghanistan should be paid for as part of the normal budgeting process. These are no longer surprises and no longer emergencies. We know we are there. We know what the mission is going to entail and the costs we are facing. I think this is a good place to start by having this embassy go through the regular process where we can find offsets and an ability to pay for it.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am sure all Members are very concerned about the proposed embassy compound in Iraq and the number of dollars that are involved. I think it is very important that I share with Members our discussion with the Secretary of State. She feels it is absolutely critical that we move forward very quickly with this money, first and foremost because we have almost 4,000 American personnel whose lives are in jeopardy under current conditions. Indeed, if this compound goes forward quickly, their security will be assured.

The Secretary has given great assurance that the compound can be completed in 24 months. There is only one small hook, and that is in order to get a contractor to bid on such a job in this territory, the money has to be there in the pot. So within this bill we are providing the funds to make sure the funds are available and we can move quickly. This embassy and the compound are designed to solidify our mission, allowing us to be successful in Iraq as well as elsewhere. It is very important that we go forward with this money now.

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

Mr. UPTON. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mrs. MYRICK), a co-author of the amendment.

Mrs. MYRICK. Mr. Chairman, we are all grateful for the heroes and those serving in Iraq. We are grateful for what we are seeing happening there, and we want to do what we can to support those efforts and make sure that our troops have what they need. But every time when I go home, no matter what the subject is that we are talking about in any meeting, the thing that always comes up is the deficit. Somebody always says, "But what are you doing about the deficit?"

My concern with the embassy being in the supplemental is exactly that, it is over and above the regular process. I have no problem with building an embassy in Iraq. We need an embassy in Iraq, but we also know we need an embassy in Iraq, and why did it not come through earlier if it is that much of an emergency.

Yes, it is a huge amount of money and I understand it is not just a building, it is a compound, but it is three times what we have spent in Afghanistaalready.

If we do not start getting some discipline in this body in what we are doing, we are never going to get back on track and I am afraid that is what we did in 1997 was start to balance the budget, and we were well on the way. Sure, we have had a lot of problems. We had the war, the recession, other problems which have interfered with this. They may have to have some fiscal discipline and just putting things that are not actual emergencies in a supplemental spending bill in my opinion is not to be done. A supplemental is for emergencies and I do not consider an embassy to be an emergency.

My constituents at home agree with this. As I said before, whenever I am anywhere they always say what are you doing about cutting spending, what are you doing about the deficit?

I hope we can bring this embassy back through regular order and make it happen because we want to be sure the people are protected and pass the supplemental today. The other things in the supplemental are needed. There is no question about that. Our chairman has done a very, very good job with this bill, but I have a problem with building the embassy in a supplemental.

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

I thank my coauthors, the gentleman from Wisconsin (Mr. KIND) and the gentleman from North Carolina (Mrs. MYRICK). I want to say it is not an easy task taking on the gentleman from California (Mr. Lewis). I know how he would like today I am voting for final passage of the supplemental. It is important that we have adequate resources for all of our troops. I have been to Iraq twice. I have been to the current embassy in Baghdad twice as well, and I have seen it. We have spent something like $100 million already trying to make that facility safe. It is within the Green Zone.
Mr. UPTON. The question is on the amendment of—

amendment.

he Upton amendment.

quickly. We need the money up front.

have the appropriate place, we have the

matter. There is little doubt that we

strongly about the urgency of this

President of the United States. The

man, I yield myself such time as I may

in an area that is probably as dan-

for the tough, tough job you are doing

what you are doing, and we thank you

care about your safety, we care about

and say to our friends over there, we

care about the work they are doing.

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are over there, the people that are

send a message to the Americans that

hard work. I would urge every Member

I cannot think of a dumber thing that

them to do? We need an embassy there.

have a safe place to live and do their

want to give them an opportunity to

gave them safe haven; we do not want
to give them an opportunity to have

work that we have asked them to do? We need an embassy there.

I cannot think of a dumber thing that we could do as to take this money away and to try and micromanage the way that we are going to establish an embassy and an opportunity for people to live safely over there.

Those of you that have been there

know what a dangerous place it is.

These are the people that are doing the

hard work. I would urge every Member to vote for the amendment and to send a message to the Americans that are over there, the people that are doing the hard work to bring democ-

We are asking people to go over there

and say to our friends over there, we care about your safety, we care about the work they are doing.

You voted against the Upton amendment and say to our friends over there, we care about your safety, we care about what you are doing, and we thank you

for the tough, tough job you are doing in an area that is probably as dan-

I appreciate the remarks of my col-

league from Illinois. I would suggest

that in voting for this amendment, Members would be voting against the view of our Commander in Chief, the

President of the United States. The

Secretary of State has spoken very strongly about the urgency of this

matter. There is little doubt that we have the appropriate place, we have the plans in place, we can get it done quickly. We need the money up front.

That is why it is here. Because of that,

Mr. Chairman, I urge a "no" vote on the Upton amendment.

Mr. Chairman, I yield back the bal-

cence of my time.

The Acting CHAIRMAN (Mr. CAMP). The

question is on the amendment offered by a gentleman from Michigan (Mr. URTON).

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

Mr. UPTON. Mr. Chairman, I demand

a recorded vote.

The Acting CHAIRMAN. Pursuant to

clause 6 of rule XVIII, further pro-
cedings on the amendment offered by the gentleman from Michigan (Mr. URTON) will be postponed.

Mr. WEINER. Mr. Chairman, I offer

an amendment.

The Clerk read as follows:

Amendment offered by Mr. WEINER:

Insert at the end of the bill, before the short title, the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

SEC. 7001. None of the funds appropriated or otherwise made available in this Act may be obligated or expended to finance any as-
sistance to Saudi Arabia.

Mr. KOLBE. Mr. Chairman, I offer

amendments.

Mr. Chairman, I demand an unanimous consent that debate on this amendment, and any amendments thereto, be limited to 10 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

The Acting CHAIRMAN. Is there ob-

jection to the request of the gentleman from Arizona?

Mr. WEINER. Mr. Chairman, reserv-
ing the right to object, just so I under-

stand, I can under this agreement be able to reserve time. Unlike the 5-

minute rule, I would be able to reserve portions of my 5 minutes?

Mr. KOLBE. If the gentleman will

yield, of his 5 minutes, that is correct.

Mr. WEINER. I thank the gentleman.

Mr. OWENS. If the gentleman will

yield, does that mean we cannot rise to

strike the last word?

The Acting CHAIRMAN. The gen-
tleman is correct. When you make the unanimous consent re-

uest, it is all amendments to this

amendment.

The Acting CHAIRMAN. The Chair

would state it would be limited to the Weiner amendment.

Mr. WEINER. Mr. Chairman, I with-

draw my reservation of objection.

The Acting CHAIRMAN. Without ob-

jection, the gentleman from New York (Mr. WEINER) will control 5 minutes.

There was no objection.

The Acting CHAIRMAN. The Chair

recognizes the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I yield

myself such time as I may consume.

Mr. Chairman, this is a similar

amendment that we have passed re-

peatedly, and it is the same amend-

ment, and any amendments thereto, equally divided and controlled by the proponent and myself, the opponent.

The Acting CHAIRMAN. Is there ob-

jection to the request of the gentleman from Arizona (Mr. KOLBE) each will control 5 minutes?

There was no objection.

The Acting CHAIRMAN. The Chair

recognized the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I yield

myself such time as I may consume.

Mr. Chairman, this is a similar

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peatedly, and it is the same amend-

ment, and any amendments thereto,

unanimous consent that debate on this

amendment, and any amendments thereto, be limited to 10 minutes, to be equally divided and controlled by the proponent and myself, the opponent.

The Acting CHAIRMAN. Is there ob-

jection to the request of the gentleman from Arizona (Mr. KOLBE) each will control 5 minutes?

There was no objection.

The Acting CHAIRMAN. The Chair

recognized the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I offer

an amendment.

The Clerk read as follows:

Amendment offered by Mr. WEINER:

last to restrict moneys in the foreign

aid bill, it has gotten worse and worse

and worse still. Just in recent months, the State Department issued its annual country reports on human rights prac-
tices. Here is what it said about Saudi Arabia:

There were credible reports of torture and abuse of prisoners by sec-

urity forces, arbitrary arrests and in-

communicado detentions. The religious

police continue to intimidate, abuse and detain citizens and foreigners.

Most trials were closed. That was not years ago. That was just in the last couple of months. The State Department also issued its report on anti-Semitism on the 30th of De-
cember. Of course, it reports about how there is an explosion of anti-Semitism in Europe and throughout the world funded by the Saudi kingdom.

Just in February of this year, Free-

dom House, an organization, sent Mus-

lim volunteers to 15 prominent mosques in New York, from New York to San Diego, and hundreds and hundreds of books paid for by the Saudi Arabian Government that said things like, quote, any Muslim who be-

lieves that, quote, churches are houses of God and that God is worshipped there is an infidel.

Another quote from these Saudi publi-

cations: Be disassociated from the infidels. Hate them for their religion. Leave them. Never rely on them for support. Do not admire them and al-

low any association to them in any way ac-

cording to Islamic law.

And here is what these Saudi docu-

ments say about America: It is forbid-

den for a Muslim to become a citizen of a country governed by infidels because it is a means of acquiescing to their infi-

delity and accepting their erroneous ways.

Also, these documents published by the Saudis, this is what it says about war against America, not years ago but only weeks ago:

"To be a true Muslim, we must prepare and be ready for jihad in Allah’s army. It is the duty of every citizen and the government."

Mr. Chairman, there should not be

any money in this bill, and there is not presently any money that specifically says it can go to the Saudis; but we have seen again and again how money gets reprogrammed without a full vote of this Congress. If we vote today to say no aid to the Saudis, the President could not come back and ask for any of this money to be reprogrammed. I think that the time has come for us to start sending an unambiguous, clear message to the Saudis that we under-

stand, particularly in the post-9/11 world, that we are going to judge peo-

ple based on what they do, not on what they say, on their record, not just on

their glossy public relations campaign.

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

Mr. KOLBE. Mr. Chairman, I yield

myself 3 minutes.

Mr. Chairman, I really do not under-

stand the need for this amendment that is offered by the gentleman from
New York. Surely as he knows, there are not any funds in this bill for Saudi Arabia in the foreign operations chapter. Additionally, there are reporting requirements to ensure that the funds are spent exactly as the committee intends. We do not intend that any of the funds go to Saudi Arabia. So the gentleman from New York is incorrect when he says this is similar to the legislation that was passed last year on the regular appropriation bill. There was some money in last year’s bill that went to Saudi Arabia. This bill does not have any money for Saudi Arabia, so it is completely unnecessary. It is a gratuitous kind of amendment. It is an absolute slap in the face to everybody that has been involved. The gentleman himself has talked about the changes that have taken place in Saudi Arabia. When there is no money in this bill, for us to include this kind of provision is not only absolutely unnecessary; it is completely wrong.

I would also point out, as I just mentioned, that we included the prohibition in the 2005 regular appropriation bill. Section 575 of Public Law 108-447 states: “None of the funds appropriated or otherwise made available pursuant to that act shall be obligated or expended to finance any assistance to Saudi Arabia.” The prohibition that is in that legislation extends to the fiscal year 2005 supplemental bills. Supplementary legislation includes appropriations that are added on top of the regular appropriations. So the underlying prohibition also applies here.

There are no funds in this bill that could be used for Saudi Arabia. This is simply repeating something that has already been added into the regular legislation. The gentleman from New York is simply wrong when he says that the President could come and reprogram funds for Saudi Arabia. The underlying prohibition would prohibit that. The administration can reprogram them but they cannot reprogram them to spend them in Saudi Arabia. The gentleman is simply wrong about that.

I am sure the gentleman is aware of these facts and I am sure he is aware, as he has pointed out, of how helpful Saudi Arabia has been very recently in helping to defuse the situation in Lebanon, the very direct statements that were made to President Assad about how his troops should depart from Lebanon. The gentleman wants to use his statement, fine, I would encourage him to do so; but the appropriation bills include the substance of what is in his amendment; and since there is no money in this bill for Saudi Arabia, this amendment is not only redundant, it is unnecessary, it is a slap in the face, it is just simply absolutely wrong for us to do this.

I strongly urge the defeat of this amendment.

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

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

Let me just quote what the gentleman from Wisconsin said in the last debate: “The government of Saudi Arabia has greatly increased its effort to root out terrorism. It has greatly increased its cooperation in intelligence matters and others with the United States.”

The facts that I read just now were within the last months. It is simply not true. Do not believe the hype.

Mr. Chairman, I yield the balance of my time to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Chairman, I rise in strong support of the amendment offered by my colleague from New York. It boggles my mind that the United States provides any funding to the Saudi Kingdom. With all of its oil and all of its wealth, it is nothing short of insanity.

It is no secret, in spite of what the last speaker said, that the Saudi regime is a leading exporter of terrorism worldwide. They will close by saying that one percent of American money is being spent in Saudi Arabia is an insult to every American taxpayer. The Saudis continue to declare to the world that they are a progressive-thinking nation and they are our partners in the global war on terrorism. That is what their PR firm says, anyway. Nothing could be further from the truth.

This is our partner in peace? Fifteen of the 19 hijackers were Saudi nationals. That did not happen by accident. This is the same Saudi Arabia that has the worst record for religious tolerance on the planet, the same Saudi Arabia that exudes racism and anti-Semitic hatred.

Our partners in peace? How shameful for the United States. The Saudis claim that they are prosecuting terrorists. Who are they kidding? Saudi efforts to prosecute terrorists are inept at best; nonexistent at worst. If they are doing anything in Lebanon, it is for themselves, not for the people of the United States of America.

I ask everyone to support the Weiner amendment.

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I rise to oppose my friend’s amendment. I yield to the gentleman personally. I spent a lot of time in Saudi. They can either go the wrong way or the right way.

We talk about not putting foreign troops in foreign countries. Do they have problems? Yes. But when you talk about the government itself, I know from the intelligence community, I also know how they are helping us there; but I have been into their banks where they have Canadian and U.S. and British auditors to make sure there is no money laundering. The goyvemme itself, I went to the Shura council, the crown prince, I have met with almost every one of the Shura council, which is their Congress. The majority of Saudis support the United States. I yield back the balance of my time.

So to say that their government is against us is wrong. Are there people that preach Wahabism? Yes. But they have changed their inside curriculum. They have arrested and jailed over 1,000 Imams which preach intolerance.

So I would oppose the gentleman’s amendment. I did not know when we were on the floor that we had an amendment when I went over there. It really hurts people when we do things, and I think that this could hurt our relationship instead of bettering it with Saudi Arabia. I oppose the gentleman’s amendment.

The Acting CHAIRMAN (Mr. CAMP). The gentleman from New York (Mr. WEINER) has 30 seconds remaining.

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

I will close by saying just two things in points of clarification. One, the gentleman, despite the best efforts of this House, is incorrect. Despite our amendment saying no money can go to Saudi Arabia, monies were allocated to Saudi Arabia; so I am entitled to discount on purchasing for our military. So our will was not followed.

Secondly, to the previous speaker, this notion that they are not exporting Wahabism has been debunked by the State Department as recently as 1 1⁄2 months ago. They are exporting terrorism, exporting Wahabism. I would say they are two-faced except they have so many members of the Royal Family, they are several hundred Fahds, and the time has come for us to start judging people on what they do, not what they say.

I have 5 additional seconds to make my punchline point. This amendment will say that we believe that Saudi Arabia should be treated not as an ally but as an enemy in the War on Terror because that is what they have been.

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

I will not even take all that time. I simply want to repeat the arguments against this amendment. There are no funds in this bill that go to Saudi Arabia. There is a prohibition in the fiscal year 2005 Foreign Operations bill that prohibits any funds from going to Saudi Arabia, and that prohibition applies to this bill.

This amendment is totally unnecessary. This amendment has absolutely no bearing. It is simply repeating what is already in the existing law that applies to this bill. To add another prohibition here now is simply to add insult to injury. It is gratuitous. It has absolutely no reason to be in this bill, and I would urge my colleagues to defeat this amendment.

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

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

Mr. WEINER. 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 New York (Mr. WEINER) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now commence on those amendments on which further proceedings were postponed in the following order:

The amendment offered by the gentleman from Massachusetts (Mr. TIERNEY);

The amendment offered by the gentleman from Michigan (Mr. UPTON);

and the amendment offered by the gentleman from New York (Mr. WEINER).

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

AMENDMENT OFFERED BY MR. TIERNEY

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

The Clerk will designate the amendment.

The Clerk designated 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 236, noes 170, not voting 7—by roll call as follows:

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A Merger of the Celebrated Detective and the Detective Like a Merger of the Celebrated Detective and the Detective Like...
We neglect these vital needs while we focus on an expensive blunder with costs now approaching the level of $300 billion. In the name of security, we are throwing dollars at a problem which will yield the least amount of security here in the homeland.

We are left vulnerable within our own borders, while there is no honest accounting for billions which could make our ports safer, which could increase our first response capacities, which could train our expert translators, anti-demolition experts, communications personnel and many others that are vital for maximum homeland security.

In general, our Federal expenditures for education, including school construction and modernization, could be increased greatly in order to guarantee that America has the most valuable ingredient to secure its future, that is, an educated populace. Nothing is more vital for the existence of this Nation than an educated populace. We neglect these vital needs while we continue to throw dollars into a bottomless pit. This present appropriation might be justified if there were a timetable and a clear plan for withdrawal. Through the election process, the Iraqi people let it be known that they reject the suicide bombings. The Iraqi people reject the fanatics and the zealots. The extremist groups can be isolated and paralyzed if we build on this goodwill and desire for freedom among the Iraqi people. They demonstrated that in the election in which they went out to participate.

To build on this foundation, we must offer the Iraqi people justice. Justice means a plan to show them how their oil revenue ought to be used to help their economy, and justice means a clear timetable for the withdrawal of American troops. We must strengthen the partnership with the Iraqi people. Let us stop the waste of dollars and stop the waste of lives of American heroes. We cannot continue to dig blindly down into this deep pit of more war.

I would like to close with a quotation which I hope all of my colleagues will allow to set on their minds for a few minutes: “Voice or no voice, the people can always be brought to the bidding of the leadership. That is easy. All you have to do is tell them they are being attacked, and denounce the pacifists for lack of patriotism and exposing the country to danger. It works the same in any country.” That quote was from Air Marshal Sir Hugh Dowding. I urge a “no” vote on this entire appropriation bill which is mostly for the continuation of the war in Iraq.

Mr. GREEN of Wisconsin. Mr. Chairman, I believe it is important that all groups and organizations that want to assist in the recovery are allowed to participate. The United States Government for International Development issued a regulation on October 19, 2004, that ensures religious organizations are allowed to compete on an equal footing with other nongovernmental organizations for USAID funding, in the case of this bill, funding to help tsunami victims.

Can the chairman clarify whether the appropriations under this bill fall under such regulation?

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

Mr. GREEN of Wisconsin. I yield to the gentleman from Arizona.

Mr. Chairman, I believe it is important that all groups and organizations that want to assist in the recovery are allowed to participate. The United States Government for International Development issued a regulation on October 19, 2004, that ensures religious organizations are allowed to compete on an equal footing with other nongovernmental organizations for USAID funding, in the case of this bill, funding to help tsunami victims.

Can the chairman clarify whether the appropriations under this bill fall under such regulation?

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

Mr. GREEN of Wisconsin. I yield to the gentleman from Arizona.

Mr. KOLBE, Mr. Chairman, I appreciate the gentleman raising this point, and I want to make it very clear that religious organizations may compete on an equal footing for USAID funding in this bill, as they may for USAID funding in other bills. So the answer to the gentleman’s question is yes.

Mr. GREEN of Wisconsin. Mr. Chairman, I rise in opposition to this bill.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

Mr. OWENS, Mr. Chairman, I move to strike the last word. (Mr. OWENS asked and was given permission to revise and extend his remarks.)

Mr. OWENS. Mr. Chairman, this bill is filled with many worthwhile expenditures, and I have heard my colleagues all day make various adjustments and amendments. However, the overwhelming amount of this appropriation will be wasted in the continuing financing of the war in Iraq.

The war in Iraq is an expensive blunder with costs now approaching the level of $300 billion. In the name of security, we are throwing dollars at a problem which will yield the least amount of security here in the homeland.

We are left vulnerable within our own borders, while there is no honest accounting for billions which could make our ports safer, which could increase our first response capacities, which could train our expert translators, anti-demolition experts, communications personnel and many others that are vital for maximum homeland security.

In general, our Federal expenditures for education, including school construction and modernization, could be increased greatly in order to guarantee that America has the most valuable ingredient to secure its future, that is, an educated populace. Nothing is more vital for the existence of this Nation than an educated populace. We neglect these vital needs while we continue to throw dollars into a bottomless pit. This present appropriation might be justified if there were a timetable and a clear plan for withdrawal. Through the election process, the Iraqi people let it be known that they reject the suicide bombings. The Iraqi people reject the fanatics and the zealots. The extremist groups can be isolated and paralyzed if we build on this goodwill and desire for freedom among the Iraqi people. They demonstrated that in the election in which they went out to participate.

To build on this foundation, we must offer the Iraqi people justice. Justice means a plan to show them how their oil revenue ought to be used to help their economy, and justice means a clear timetable for the withdrawal of American troops. We must strengthen the partnership with the Iraqi people. Let us stop the waste of dollars and stop the waste of lives of American heroes. We cannot continue to dig blindly down into this deep pit of more war.

I would like to close with a quotation which I hope all of my colleagues will allow to set on their minds for a few minutes: “Voice or no voice, the people can always be brought to the bidding of the leadership. That is easy. All you have to do is tell them they are being attacked, and denounce the pacifists for lack of patriotism and exposing the country to danger. It works the same in any country.” That quote was from Air Marshal Sir Hugh Dowding. I urge a “no” vote on this entire appropriation bill which is mostly for the continuation of the war in Iraq.

Mr. GREEN of Wisconsin. Mr. Chairman, I believe it is important that all groups and organizations that want to assist in the recovery are allowed to participate. The United States Government for International Development issued a regulation on October 19, 2004, that ensures religious organizations are allowed to compete on an equal footing with other nongovernmental organizations for USAID funding, in the case of this bill, funding to help tsunami victims.

Can the chairman clarify whether the appropriations under this bill fall under such regulation?

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

Mr. GREEN of Wisconsin. I yield to the gentleman from Arizona.

Mr. KOLBE, Mr. Chairman, I appreciate the gentleman raising this point, and I want to make it very clear that religious organizations may compete on an equal footing for USAID funding in this bill, as they may for USAID funding in other bills. So the answer to the gentleman’s question is yes.

Mr. GREEN of Wisconsin. Mr. Chairman, I rise in opposition to this bill.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

Mr. OWENS, Mr. Chairman, I move to strike the last word. (Mr. OWENS asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Wisconsin. Mr. Chairman, I rise in opposition to this bill.

One of the solemn honors that I have had as a Member of Congress is to visit our soldiers who have been wounded in Iraq. I have visited with them at Walter Reed Army Hospital here in Washington and at the Veterans Hospital at Palo Alto, California.

It is rewarding and shocking to meet our troops under these circumstances. Theirs are the stories of courage under fire. Their wounds are often unimagi-
Today, we are being asked to vote for another $81 billion for the war in Iraq. This is the third supplemental appropriations bill for Iraq since the war started, totaling nearly $200 billion; and without a change in course, the nonpartisan Congressional Budget Office estimates the war in Iraq and Afghanistan will cost an additional $458 billion over the next 10 years.

Astoundingly, this additional request has no change in strategy forthcoming from the President to address the absence of control and continued violence against our troops and the Iraqi people. The President and his advisers cling to the idea that America is just one major battle away from victory, or with just one more capture of a significant insurgent leader we will break the back of the opposition to our occupation and to the formation of a democratic government in Iraq.

Those who continue to attack our troops and the Iraqi people have been described in many different ways as the democratic government in Iraq. occupation and to the formation of a break the back of the opposition to our

We support our troops by arguing against the President's budget that dishonors our veterans by undermining the system of care and benefits they need and deserve. But we do not honor our troops simply by approving yet another allegedly emergency bill with no promise that America has a chance to win, no guarantee that the next $81 billion will not be wasted. We support our troops by arguing against the President's strategy of success.

The administration will not take responsibility for the cost of the war or how to pay for it. At the end of the day, the President and his advisers simply do not have the courage of their convictions. If they did, they would be honest with the American people about the real cost of war and the lack of progress being made on the ground, about the plan for drawing down our troops and about the real reason American soldiers were sent to Iraq in the first place.

I cannot in good conscience vote to approve a supplemental appropriations bill that offers no strategy for success, that has no plan to draw down our troops in a responsible manner, and that fails to make a compelling case to the American people about why the haunting sacrifices of lives, limbs and money have been necessary. I know that some of my colleagues, in very good conscience and with honorable intentions, believe that supporting this bill is the equivalent of supporting our troops. I would very respectfully have to disagree with that view today.

Rather, in my view, to vote for this supplemental is to expose our troops to the same leadership in the White House and the Pentagon that refuses to tell the truth, that refuses to take responsibility for its actions, and that refuses to hold a single person accountable for the failed decisions that have been made for this war.

And it exposes them to the same leadership that refuses to provide the kind of change that will start to remove the central organizing principal of the guerrilla war in Iraq—the presence of nearly 150,000 American troops viewed as occupiers by those who oppose us.

To say that we must remain in the current configuration in Iraq because the situation will get worse is to ignore the facts on the ground, facts that have been acknowledged by many of our field commanders, by Members of Congress who have visited Iraq, and by members of the news media covering the war.

This is a very difficult vote, I understand that.

But let us be clear that this is not a vote about whether I or any other Member of Congress supports American troops. Of course we do. And this is not a vote about the heroism shown by the thousands of Iraqis who risked their own lives by voting in the national elections in January. They have my admiration and support.

We support the troops by arguing against the kind of failed preparation and planning that sent National Guard and Reserve troops into battle without flak jackets and reinforced Humvees.

We support our troops by arguing in favor of a strategy for success.
Peace in West Africa will not come until Charles Taylor is brought to justice for his crime and removed as a threat from the region. The Nigerian government must be shown that harboring a war criminal and a terrorist is not in their best interest. I urge the House to join me in passing this amendment and standing for justice and the rule of law in West Africa.

Mr. Chairman, I yield to the gentlewoman from Virginia (Mr. Wolf).

Mr. WOLF. Mr. Chairman, I thank the gentlewoman from New York (Mrs. KELLY). The gentlewoman is right, Charles Taylor has been responsible for having dealings with al Qaeda and conflict diamonds. Charles Taylor was the one responsible for cutting off arms and legs of young people in Sierra Leone and in Liberia. I think the gentlewoman is right, Nigeria should return Charles Taylor so he can have a fair trial. I think the administration has a moral obligation to ask the Nigerians and get him back to go before the court.

Mrs. KELLY. Mr. Chairman, I yield to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I rise in strong support of the gentlewoman’s amendment. It is long overdue that action be taken on this criminal and mass murderer, and I hope all of my colleagues will vote for this amendment.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

The gentlewoman has raised some very important points, and I know she has done a great deal of work in this area as it relates to Charles Taylor and West Africa. There is no question it is a very troubled area, and Charles Taylor has certainly contributed to the instability in the region.

There are no faults in the legislation that deal with Nigeria, and there are a lot of circumstances around this issue that I think are difficult in the sense that the United States has played a role in all of this as to where he is at the moment. What this person brought to justice, and I know that is the intention of the United States.

I would hope, however, that the gentlewoman would withdraw this amendment because I believe that would be in the best interest of United States foreign policy. We will certainly work with the gentlewoman and her staff to try to resolve the situation, and work with the State Department and the gentlewoman to get a satisfactory explanation of what is being done.

Mr. LEWIS of California. Mr. Chairman, I withdraw my point of order.

The Acting CHAIRMAN. The Acting CHAIRMAN.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEARCE) having assumed the chair, Mr. GILCHREST, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having considered the bill (H. R. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 1268, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1268 in the Committee of the Whole pursuant to House Resolution 151, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point by the chairman and ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; amendment 4, which shall be debatable for 20 minutes; and an amendment by Mr. MARKEY regarding veteran hiring preference for reconstruction of Iraq; and an amendment by Ms. VELAZQUEZ regarding small business.

Each such amendment may be offered only by the Member named in this request or a designee, or the Member who caused it to be printed in the RECORD or a designee, shall be considered only in the order listed, except in the case of pro forma amendments; shall be considered as read, shall not be subject to amendment except that the chairman and the ranking minority member of the Committee on Appropriations each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it fits the description in whole or in part the object described.

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

There was no objection.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

The SPEAKER pro tempore (Mr. PEARCE). Pursuant to House Resolution 151 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. 1268.

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. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes, with Mr. GILCHREST (Acting Chairman) in the chair.

The Clerk read the title of the bill. Acting CHAIRMAN. When the Committee of the Whole House rose earlier today, the bill had been read through page 72, line 17.

Pursuant to the order of House today, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point by the chairman and ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

Amendment 4, which shall be debatable for 20 minutes;

An amendment by Mr. MARKEY regarding combat pay;

An amendment by Mr. KOLBE regarding tortured;

An amendment by Mr. MARKEY regarding funds to the Palestinian Authority, which shall be debatable for 20 minutes; an amendment by Mr. OBRY regarding intelligence; an amendment by Mr. MARKEY regarding veterans hiring preference for reconstruction of Iraq; and an amendment by Ms. VELAZQUEZ regarding small business.

Each amendment may be offered only by the Member designated in the order of the House or a designee, or the Member who caused it to be printed in the RECORD or a designee, shall be considered only in the order designated in the order of the House, except in the case of pro forma amendments; shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

It is now in order to consider amendment No. 4 by the gentleman from California (Mr. LANTOS).
SEC. 702. NONREDUCTION IN PAY WHILE FEDERAL EMPLOYEE IS SERVING ON ACTIVE DUTY IN A RESERVE COMPONENT OF THE UNIFORMED SERVICES.

(a) In General.—Subchapter IV of chapter 55 of title 5, United States Code, is amended by adding at the end the following new section:

"§5538. Nonreduction in pay while serving on active duty in a reserve component

"(a) An employee who is also a member of a reserve component of the National Guard is entitled to be paid military compensation payable under section 5404 of this title or under such other law providing for the compensation of the employee by the employing agency for work done in the performance of active duty for a period of more than 30 days.

"(b) The term ‘military compensation’ has the meaning given the term ‘pay’ in section 101(2) of this title, except that the term includes Government corporations and agencies excluded by clause (1) or (ii) of such subparagraph.

SEC. 703. ACTIVE-DUTY RESERVE COMPONENT EMPLOYEE CREDIT ADDED TO GENERAL BUSINESS CREDIT.

(a) ADDITION OF CREDIT.—Subpart D of part IV of chapter 1 of the Internal Revenue Code relating to business-related credits is amended by adding at the end the following new section:

"SECTION 45J. ACTIVE-DUTY RESERVE COMPONENT EMPLOYEE CREDIT

"(a) GENERAL RULE.—For purposes of section 38, the Ready Reserve-National Guard employee credit determined under this section for any taxable year with respect to each Ready Reserve-National Guard employee of an employer is an amount equal to the lesser of—

"(1) 50 percent of the actual compensation amount paid with respect to such Ready Reserve-National Guard employee for such taxable year while the employee is absent from employment for a reason described in subsection (b); or

"(2) $30,000.

"(b) COVERED PAY PERIODS.—Subsection (a) shall apply with respect to the period beginning at the end of such active duty or the end of the period referred to in subparagraph (B).

"(2) Paragraph (1) shall not apply with respect to a pay period for which the employee receives civilian basic pay (including by taking any annual, military, or other paid leave) to which the employee is entitled by virtue of the employee’s civilian employment with the Government.

"(c) Any amount payable under this section to an employee shall be paid—

"(1) by the employing agency of the employee;

"(2) from the appropriations or fund that would be used to pay the employee if the employee were in a pay status; and

"(3) to the extent practicable, at the same time and in the same manner as civilian basic pay if the employee’s civilian employment had not been interrupted.

"(d) In consultation with Secretary of Defense, the Office of Personnel Management shall prescribe procedures, as may be necessary to carry out this section.

"(e) In consultation with the Office of Personnel Management, the head of each employing agency shall prescribe procedures to ensure that the rights under this section apply to the employees of such agency. In consultation with the Office of Personnel Management, the Administrator of the Federal Aviation Administration shall prescribe procedures to ensure that the rights under this section apply to the employees of that agency.

"(f) In this section:

"(1) the terms ‘active duty for a period of more than 30 days’ and ‘reserve component’ have the meanings given such terms in section 101 of title 37.

"(2) the term ‘civilian basic pay’, with respect to an employee, includes any amount payable under section 5304 of this title or under such other law providing for the compensation of the employee by the employing agency for work done in the performance of active duty for a period of more than 30 days.

"(3) The term ‘military compensation’ as used with respect to an employee entitled to any payments under this section, means the amount of such pay which the employee would have been entitled to receive if the employee had reemployment rights under chapter 43 of title 38. The term ‘agency’ has the meaning given such term in subparagraph (a) of section 5304 of title 38.

"(g) LIMITATION.—No credit shall be allowed under this subsection in respect to a Ready Reserve-National Guard employee on any day on which the employee was not scheduled to work (for a reason other than such service on active duty) and ordinarily would not have worked.

SEC. 704. PORTION OF CREDIT REFUNDABLE.—

"(a) In General.—In the case of an employer described in paragraph (2), the aggregate credits allowed to a taxpayer under paragraph (1) shall be increased by the lesser of—

"(A) the credit which would be allowed under this subsection without regard to this subsection and the limitation under section 38(c), or

"(B) the amount by which the aggregate amount of credits allowed by this subsection (determined without regard to this subsection and the limitation imposed by section 38(c)) for any taxable year were increased by the amount of employer payroll taxes imposed on the taxpayer during the calendar year in which the taxable year begins.

"The amount of the credit allowed under this subsection shall not be treated as a credit allowed under this part and shall reduce the amount of the credit otherwise allowable under subsection (a) without regard to section 38(c).

"(b) EMPLOYER DESCRIBED.—An employer is described in this paragraph if the employer is—

"(A) an organization exempt from tax under this chapter,

"(B) any State or political subdivision thereof, the District of Columbia, any possession of the United States, or any agency or instrumentality of any of the foregoing, or

"(C) any Indian tribal government (within the meaning of section 7871) or any agency or instrumentality thereof.

"(2) EMPLOYER PAYROLL TAXES.—For purposes of this subsection—

"(A) In general.—The term ‘employer payroll taxes’ means the taxes imposed by—

"(i) section 3111(b), and

"(ii) sections 3211(a) and 3221(a) (determined at a rate equal to the rate under section 3111(b)).

"(B) SPECIAL RULE.—A rule similar to the rule of section 24(d)(2)(C) shall apply for purposes of subparagraph (A).

"(c) DEFINITIONS.—In this section—

"(1) the terms ‘active duty for a period of more than 30 days’, ‘member’, and ‘reserve component’ have the meanings given such terms in section 101 of title 37, United States Code.

"(2) The term ‘compensation’ means any remuneration for service in cash or in kind, which is paid or incurred by a taxpayer and which is deductible from the taxpayer’s gross income under section 162(a)(1).

"(3) The term ‘Ready Reserve-National Guard employee’ with respect to an employer, means an employee of the employer who is also a member of a reserve component during a taxable year.

"(d) CREDIT TO BE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of such Code (relating to general business credit) is amended by striking ‘plus’ at the end of paragraph (18), by striking the period at the end of paragraph (19) and inserting ‘; plus’, and by adding at the end the following new paragraph:

"(20) the active-duty reserve component employer credit determined under section 45J(a)."

"(e) CONFORMING AMENDMENT.—

"(1) Paragraph (2) of section 1324(b)(1) of title 16, United States Code, is amended by inserting ‘for 45J’ after ‘section 35’.

"(2) The term ‘emergent pay’ described in section 254(e)(2) of title 10, United States Code, is amended by striking ‘any’ and inserting ‘the’ after the term ‘item relating to section 45J’ in the following new item:

"(4) The term ‘emergent pay’ described in section 254(e)(2) of title 10, United States Code, is amended by striking ‘any’ and inserting ‘the’ after the term ‘item relating to section 45J’ in the following new item:
wages the individual would have received for a period of more than 30 days, and 
(1) DIFFERENTIAL WAGE PAYMENTS TO ACTIVE DUTY MEMBERS OF THE UNIFORMED SERVICES.

(A) IN GENERAL.—For purposes of subsection (a), any differential wage payment shall be treated as a payment of wages by the employer to the employee.

(B) WAGE PAYMENT.—For purposes of paragraph (1), the term ‘differential wage payment’ means any payment which

(A) is made by an employer to an individual with respect to any period during which the individual is performing service in the uniformed services while on active duty for a period of more than 30 days, and

(B) represents all or a portion of the wages the individual would have received from the employer if the individual were performing service in the uniformed services during such period.

(b) TREATMENT OF DIFFERENTIAL WAGE PAYMENTS FOR RETIREMENT PLAN PURPOSES.

(1) PENSION PLANS.—

(A) IN GENERAL.—Section 414(u) of such Code (relating to special rules relating to veterans’ retirement benefits rights under USERRA) is amended by adding at the end the following new paragraph:

‘‘(ii) the plan shall not be treated as failing to meet the requirements of any provision of paragraph (1)(C) by reason of any contribution which is based on the differential wage payment.’’

(B) SPECIAL RULE FOR DISTRIBUTIONS.—

(i) In general.—Notwithstanding subparagraph (A)(i), for purposes of section 401(k)(2)(B)(1)(I), 401(k)(7)(A)(i)(I), 403(b)(11)(A), or 457(d)(1)(A)(i), an individual shall be treated as having been severed from employment during any period in which the individual is performing service in the uniformed services described in section 430(h)(2)(A).

(ii) Limitation.—If an individual elects to receive a distribution by reason of clause (i), the plan shall provide that the individual may not make an elective deferral or employee matching contribution during the 6-month period beginning on the date of the distribution.

(C) NONDISCRIMINATION REQUIREMENT.—Subparagraph (A)(ii) shall apply only if all employees of an employer performing service in the uniformed services described in section 3401(h)(2)(A) are entitled to receive differential wage payments on reasonably equivalent terms and, if eligible to participate in a retirement plan maintained by the employer, to make contributions on the same terms as other employees are entitled to make contributions under the plan.

(D) DIFFERENTIAL WAGE PAYMENT.—For purposes of clause (i), the term ‘‘differential wage payment’’ has the meaning given such term by section 3401(h)(2)(B).

(B) CONFORMING AMENDMENT.—The heading for section 414(u) of such Code is amended by inserting ‘‘AND TO DIFFERENTIAL WAGE PAYMENTS TO MEMBERS ON ACTIVE DUTY’’ after ‘‘USERRA’’.

(2) DIFFERENTIAL WAGE PAYMENTS TREATED AS COMPENSATION FOR INDIVIDUAL RETIREMENT PLANS.—Section 219(f)(1) of such Code (defining compensation for purposes of section 219) is amended by adding at the end the following new sentence: ‘‘The term ‘compensation’ includes any differential wage payment (as defined in section 3401(h)(2))’’.

(c) EFFECTIVE DATES.—

(1) SUBSECTION (A).—The amendments made by subsection (a) shall apply to remuneration paid after December 31, 2004.

(2) SUBSECTION (B).—The amendments made by subsection (b) shall apply to plan years beginning after December 31, 2004.

(d) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any plan or annuity contract amendment

(A) such plan or contract shall be treated as being operated in accordance with the terms of the plan or contract during the period described in subparagraph (B), and

(B) except as provided by the Secretary of the Treasury, such plan shall not fail to meet the requirements of the Internal Revenue Code.

(e) CONFORMING AMENDMENT.—Section 411 of such Code (relating to special rules relating to qualified plans under USERRA) is amended by adding at the end the following new paragraph:

‘‘(B) CONFORMING AMENDMENT.—The amendment described in subparagraph (A) is treated as a payment of wages by the employer to the employee for purposes of section 3401(i)(2).’’

(f) AMENDMENTS TO TAXABLE YEAR.—The amendments made by this section shall apply to taxable years beginning after December 31, 2004.

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—This section shall apply to taxable years beginning after December 31, 2004.

(2) TREATMENT OF EFFECTIVE DATE.—The provisions relating to plan amendments described in section 411(c)(3)(D) shall be effective as if such amendments were made before the date referred to in section 411(c)(3)(D).
The employment credit, with respect to all qualified replacement employees, is equal to the sum of the employment credits for each qualified replacement employee under this subsection.

(B) QUALIFIED COMPENSATION.—When used with respect to the compensation paid to a qualified replacement employee, the term ‘qualified compensation’ means—

(i) compensation which is normally contingent on the qualified replacement employee’s presence for work and which is deducted from the taxpayer’s gross income under section 162(a)(1),

(ii) compensation which is not characterized by the taxpayer as vacation or holiday pay, or only for the purpose of pay, or as any other form of pay for a non-specific leave of absence, and

(iii) group health plan costs (if any) with respect to the qualified replacement employee.

(C) QUALIFIED REPLACEMENT EMPLOYEE.—The term ‘qualified replacement employee’ means an individual who is hired to replace a qualified employee or a qualified self-employed taxpayer, but only with respect to the period during which such employee or taxpayer participates in qualified reserve component duty, including time spent in travel status.

(D) TAX ALLOWANCE TO MAKE DIFFERENTIAL WAGE PAYMENTS.—The employment credit with respect to a qualified replacement employee of the taxpayer for any taxable year shall be zero if the taxpayer does not make all differential wage payments (as defined by section 3401(i)(2)) for the taxable year to the qualified employee or the qualified self-employed taxpayer (as the case may be) who is replaced by the qualified replacement employee.

(2) SELF-EMPLOYMENT CREDIT.—For purposes of this section—

(A) in general.—The self-employment credit of a qualified self-employed taxpayer for any taxable year is equal to 50 percent of the lesser of—

(i) the excess, if any, of—

(A) the self-employed taxpayer’s average daily self-employment income for the taxable year over—

(i) the average daily military pay and allowances received by the taxpayer during the taxable year, while participating in qualified reserve component duty, including time spent in travel status, or

(ii) $30,000,

(ii) the average daily military pay and allowances received by the taxpayer during the taxable year, while participating in qualified reserve component duty, including time spent in travel status, or

(B) $30,000,

(ii) AVERAGE DAILY SELF-EMPLOYMENT INCOME AND AVERAGE DAILY MILITARY PAY AND ALLOWANCES.—As used with respect to a self-employed taxpayer—

(A) the term ‘average daily self-employment income’ (as defined in section 162(b)) of the taxpayer for the taxable year plus the amount paid for insurance which constitutes medical care for the taxpayer for such year (within the meaning of section 162)(b)) divided by the difference between—

(i) 365, and

(ii) the number of days the taxpayer participates in qualified reserve component duty during the taxable year, including time spent in a travel status, or

(B) the term ‘average daily military pay and allowances’ means—

(i) the amount paid to the taxpayer during the taxable year as military pay and allowances, or as any other form of pay, or as any other form of pay for a non-specific leave of absence, and

(ii) group health plan costs (if any) with respect to the qualified replacement employee.

(3) QUALIFIED SELF-EMPLOYED TAXPAYER.—The employment credit provided in this section is in addition to the credit allowed by this section with respect to such employee.

(4) EXTENSION.—The employment credit provided in this section shall be extended to the taxable year following the taxable year for which the excess of the credit allowed by this section with respect to such employee over the credit allowed by this section with respect to the qualified replacement employee is not zero and the qualified employee or qualified self-employed taxpayer participates in qualified reserve component duty, including time spent in travel status.

(E) COORDINATION WITH OTHER CREDITS.—The amount of credit otherwise allowable under sections 51(a) and 1366(a) with respect to any employee shall be reduced by the credit allowed by this section with respect to such employee.

(5) LIMITATIONS.—

(A) APPLICATION WITH OTHER CREDITS.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess (if any) of—

(i) the regular tax for the taxable year (excluding any credit previously allowed), and

(ii) the tentative minimum tax for the taxable year.

(B) DISALLOWANCE FOR FAILURE TO COMPLY WITH EMPLOYMENT OR REEMPLOYMENT RIGHTS OF MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES.—No credit shall be allowed under subsection (a) to a taxpayer with respect to any employee if—

(i) the regular tax for the taxable year beginning after the date of the enactment of this section, in the case of an employee who is called or ordered to active duty for a period of at least 30 days, or in the case of an employee who is called or ordered to active duty for support of a contingency operation as defined in section 101(a)(13) of title 10, United States Code, is less than the excess (if any) of—

(ii) the aggregate of the credits allowable under subsection (f) for the taxable year of the employee referred to in the preceding sentence, and

(iii) the excess (if any) of—

(A) the regular tax for the taxable year beginning after the date of the enactment of this section, in the case of an employee who is called or ordered to active duty for a period of at least 30 days, or in the case of an employee who is called or ordered to active duty for support of a contingency operation as defined in section 101(a)(13) of title 10, United States Code, is less than the excess (if any) of—

(B) the aggregate of the credits allowable under subsection (f) for the taxable year of the employee referred to in the preceding sentence, and

(iv) the amount of the credit reduced by the excess (if any) of—

(A) the regular tax for the taxable year (excluding any credit previously allowed), and

(B) the tentative minimum tax for the taxable year.

(C) QUALIFIED RESERVE COMPONENT DUTY.—No credit shall be allowed under subsection (a) to a taxpayer with respect to any employee if—

(i) the regular tax for the taxable year beginning after the date of the enactment of this section, in the case of an employee who is called or ordered to active duty for a period of at least 30 days, or in the case of an employee who is called or ordered to active duty for support of a contingency operation as defined in section 101(a)(13) of title 10, United States Code, is less than the excess (if any) of—

(ii) the aggregate of the credits allowable under subsection (f) for the taxable year of the employee referred to in the preceding sentence, and

(iii) the excess (if any) of—

(A) the regular tax for the taxable year (excluding any credit previously allowed), and

(B) the tentative minimum tax for the taxable year.

(D) FULL-TIME NATIONAL GUARD DUTY.—No credit shall be allowed under subsection (a) to a taxpayer with respect to any employee if—

(i) the regular tax for the taxable year beginning after the date of the enactment of this section, in the case of a member of the National Guard who is called or ordered to active duty for the period of full-time National Guard duty prescribed in section 32 of title 32, United States Code, is less than the excess (if any) of—

(ii) the aggregate of the credits allowable under subsection (f) for the taxable year of the employee referred to in the preceding sentence, and

(E) SMALL BUSINESS EMPLOYER.—No credit shall be allowed under subsection (a) to a taxpayer if—

(i) the regular tax for the taxable year (excluding any credit previously allowed), and

(ii) the tentative minimum tax for the taxable year.

(F) SPECIAL RULE FOR CERTAIN MANUFACTURERS.—(A) in general.—In the case of any qualified manufacturer, paragraph (1)(A) of this subsection shall be applied by substituting ‘‘(B)’’ for ‘‘(A)’’.

(B) QUALIFIED MANUFACTURER.—For purposes of this paragraph, the term ‘qualified manufacturer’ means any person if—

(i) the primary business of such person is classified in section 31, 32, or 33 of the North American Industrial Classification System, and

(ii) all of such person’s facilities which are used for production in such business are located in the United States.

(2) CARRYBACK AND CARRYFORWARD ALLOWED.—

(A) in general.—If the credit allowable under subsection (a) for a taxable year exceeds the amount of the limitation under paragraph (1), the excess (if any) of the credit allowable under subsection (a) for such taxable year shall be a credit carryback to each of the 3 taxable years preceding the taxable year in which the excess occurred and a credit carryforward to each of the 20 taxable years following the unused credit year.

(B) RULES.—Rules similar to the rules of section 38 shall apply with respect to the credit carryback and credit carryforward under subparagraph (A).

(C) CERTAIN RULES TO APPLY.—Rules similar to the rules of paragraphs (a), (d), (e), and (f) of section 32 shall apply.

(3) QUALIFIED MANUFACTURER.—(A) in general.—The term ‘qualified manufacturer’ means—

(i) any person if—

(A) the average annual gross receipts of such person for the taxable year to which this paragraph referred to as the ‘‘unused credit year’’, such excess shall be a credit carryback to each of the 3 taxable years preceding the taxable year in which the unused credits have occurred and a credit carryforward to each of the 20 taxable years following the unused credit year.

(B) RULES.—Rules similar to the rules of section 38 shall apply with respect to the credit carryback and credit carryforward under subparagraph (A).

(C) CERTAIN RULES TO APPLY.—Rules similar to the rules of paragraphs (a), (d), and (e) of section 32 shall apply.

(4) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the end of the first taxable year ending after the date of the enactment of this section.
(c) Federal Unemployment Tax.—Section 3306 of such Code is amended by adding at the end the following:

“(u) Employer Contributions to IRAs of Certain Members of the Uniformed Services.—Nothing in any paragraph of subsection (b) (other than paragraph (12)) shall exclude from the term ‘wages’ any employer payments on behalf of an individual to an individual retirement plan if such payment is made by the employer to such plan with respect to any period during which the individual is performing service in the uniformed services while on active duty for a period of more than 30 days.”

(d) Withholding.—Section 3401(a) of such Code is amended by adding at the end the following new subsection:

“(u) Employer Contributions to IRAs of Certain Members of the Uniformed Services.—Nothing in any paragraph of subsection (a) (other than paragraph (12)) shall exclude from the term ‘wages’ any amount described in section 3212(a), (b), or (c).”

(e) Effective Date.—The amendments made by this section shall apply to amounts paid after December 31, 2004.

SEC. 707. Emergency Designation.

Amounts provided pursuant to the amendments made by this title are designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

Mr. LANTOS of California. Mr. Chairman, I reserve a point of order on the gentleman’s amendment.

The Acting Chairman. A point of order on the amendment is reserved.

Pursuant to the order of the House today, the gentleman from California (Mr. LANTOS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. LANTOS).

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

Mr. Chairman, when our country is at war, and every single Member of this body is in agreement that we are at war, the first rule should be to aim for equality of sacrifice. Now we know we cannot achieve that because the people who are bearing the sacrifice are our men and women in the field, and particularly the ones who are wounded or lose their lives. But there is no earthly reason why we should impose on our fighting men and women in Iraq the additional burden of financial hardship for their families.

§ 1815

Some 72,000 members of our National Guard and our Reserves are suffering huge reductions in their income as a result of having been activated for military duty. My amendment would rectify this outrageous inequity. The 72,000 families which find themselves with a member of the family in the war zone zone are losing an average of $36,000 a year, the difference between their civilian pay and their military pay.

My amendment, by providing tax benefits to their employers, would rectify this singularly inequitable and unjust state of affairs. It would ensure financial security for the families of our fighting men and women. This issue was brought to my attention by individuals in my congressional district, firemen, policemen, teachers and others who have to undergo this financial sacrifice on top of exposing themselves to physical danger 24 hours a day. It is unconscionable that we make these brave citizens choose between their duty to our country and the welfare of their families.

I urge all of my colleagues to support this modest amendment which at least in a financial sense relieves some of the hardship on our military families. It also would deal with the problem of recruitment and retention in the National Guard and Reserves. Under present circumstances, we are losing large numbers of individuals who if they did not have this extra financial burden would enlist or re-enlist. I urge all of my colleagues to support this amendment.

Mr. Chairman, I am happy to yield 1 minute to the gentleman from Virginia (Mr. Wolf).

Mr. WOLF. Mr. Chairman, I am a cosponsor of the bill. I understand this amendment is going to be withdrawn. It is subject to a point of order. It is very good. Some of our Guardsmen and Reservists have been called up twice. We are having a problem in this region where we are through at some point, I think it could be a difficult, difficult time. I think the gentleman’s amendment is a very good amendment. At the appropriate time, I hope it passes and becomes law.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. McGovern).

Mr. McGovern. Mr. Chairman, I thank my good friend and colleague from California for yielding me this time and for his incredible leadership on this important issue.

Mr. Chairman, a couple of weeks ago, six Navy Reserve Seabees prepared to depart from Worcester, Massachusetts, and 10 Marine Corps Reservists based in Worcester received their activation notices. Now they are being called up to leave Worcester and where they will be deployed. These are all too familiar events to every Member of this Chamber.

The citizen soldiers of the Guard and Reserves are fully integrated, vital components of our military force. They are essential to the success of any military operation, and they have fought and they have died wearing the uniform of this country. We are asking these brave men and women and their families to make tremendous sacrifices for us and our country. Many of them are now deployed for 12 or 18 months rather than the traditional 6 months.

This amendment recognizes this reality. We know that for every Guardsman and Reservist serving abroad, there is a family at home also making sacrifices for their country. Many of these families face a loss of income when their military pay is significantly less than their civilian pay. This pay gap forces Guard and Reservist families to pinch pennies to make ends meet. It is unacceptable that families of activated Guard and Reservists have to worry about how to put food on the table or pay the mortgage. It is unacceptable to force those families to run up their credit cards, take on extra jobs, work overtime, use their savings, borrow money, go on welfare or rely on credit cards. Our brave men and women should not have to worry about being deployed overseas. They should not have to worry about their family finances.

This amendment will help these families. It will reward those employers who are already doing the right thing by keeping their activated employees on payroll, and it will provide an incentive to other employers to join them in this patriotic service. It will also require the Federal Government to match the patriotism of the private sector by closing the pay gap for activated Federal employees. I am very proud to say that the State governments of Massachusetts and New Hampshire already make up the pay gap for State employees who have been activated by the Guard and Reserves. The Federal Government should follow their lead.

By passing this amendment, Congress can provide hope to families and communities everywhere. It will provide some peace of mind to our brave men and women now serving in harm’s way.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to my good friend, the gentleman from Connecticut (Mr. Shays).

Mr. Shays. Mr. Chairman, I thank the gentleman from California (Mr. LANTOS) for yielding me this time. I am a strong cosponsor of this amendment. I join with the gentleman from Virginia and the gentleman from Massachusetts. He is right on target. Employers who are paying the difference in salary and helping Reservists and National Guardsmen be able to do their duty and not suffer financial consequences should have this compensation, or partial compensation. This bill does that. The Federal Government should make up the difference when you have Federal employees who are being called up and those who are self-employed should be able to hire someone to take their place to keep the business going. There are a number of people who are self-employed who cannot keep the business going.

We have so many other problems with our troops in the war in Iraq and Afghanistan. They are not paid quickly what they should be when they are in Iraq. There are a lot of problems. We have had problems with equipment. My gosh, we need to deal with this.

If there is a point of order on this bill, the gentleman from California has served an important role in notifying this Congress that his bill is in this Chamber, and is before a committee. We need to have a hearing on it. I believe it is going to pass, and I think it is important. It is a bipartisan bill. It is sometimes because it is sorely needed. I thank the gentleman for introducing this.
Mr. LANTOS. I thank my friend from Connecticut.

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

Mr. LEWIS of California. Mr. Chairman, I rose very hesitantly to oppose the gentleman’s amendment.

The Acting CHAIRMAN (Mr. GILCHREST). The gentleman from California (Mr. LEWIS) is recognized for 10 minutes.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

The gentleman has an amendment that is very worthy of consideration. We all know we have a difficulty with the Guard and Reserve and how they maintain their level of income that they have had or what they had before they were called up. There are incredible problems here. But the gentleman’s amendment involves the authorizing arena, and we are doing everything we can in this new appropriations committee to work with our authorizing committees to try to avoid doing their work.

The gentleman, for example, is one of the truly outstanding members of the Committee on International Relations. He plays a phenomenal role in this arena. In the past, I have been very disconcerted with Foreign Ops getting into that area, that is the authorizing piece. We are trying to avoid that sort of work by the appropriations committees. We are talking about major authorizing circumstances that affect the Committee on Ways and Means, affect the housing committee potentially, certainly the Committee on Armed Services. So I am very hesitant about that movement in the arena that is an authorizing responsibility.

Because of that, I am opposing the amendment.

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

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume. I appreciate my good friend’s comments. He is a great leader of the Congress and a great leader in California.

This issue will not go away. I understand that there are technical objections at this moment to my amendment. But the justice and fairness of this amendment speaks for itself. It is an outrage to have men and women called up for active duty and have their families leave their homes and not be able to put food on the table because of the differential between their previous civilian pay and their current military pay. There is no Member in this body who can approve of such a circumstance.

It is in my intention to revisit and have this body revisit my legislation; but at the present time, I respectfully request unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. It is now in order to consider the second amendment listed in the order of the House of today.

AMENDMENT OFFERED BY MR. MARKEY

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

Sect. 701. (a) None of the funds made available in this Act may be used to implement any regulation reducing the total amount of monthly military pay for a member of the Armed Forces who is wounded or otherwise injured while assigned to duty in an area for which special pay is available under section 310 of title 37, United States Code, below the amount in effect for the member when the member was wounded or otherwise injured.

(b) The limitation in subsection (a) shall cease to apply with respect to a member described in that subsection as of the end of the first month during which any of the following occurs:

(1) The member is found to be physically able to perform the duties of the member’s office, grade, rating, or pay grade.

(2) The member is discharged or separated from the Armed Forces.

(3) The member dies.

Mr. LEWIS of California. Mr. Chairman, I reserve the point of order on the gentleman’s amendment.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, 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. MARKEY. Mr. Chairman, I yield myself such time as I may consume. As preposterous as it sounds, today Members of the armed services who are wounded in battle have their pay cut the moment they are evacuated from a battlefield suddenly find themselves in a hospital. These pay rates will continue until the soldier is discharged from the hospital. It did so in the case of the wounded soldier learns that their pay is being cut. I cannot imagine a more unambiguous way of telling that soldier that he or she is not as valuable today as yesterday.

Some have said to me, these are special pays for special purposes. We cannot be extending them indefinitely. There are two answers to this: one, my amendment would not extend them indefinitely, only to the point where the soldier has recovered and been reassigned or discharged; and, two, the Congress has already recognized the principle that combat pay should be extended to the wounded soldier in the hospital. It did so in the case of the combat pay tax exclusion which extended combat pay from taxation until the soldier is discharged from the hospital.

I would hope that this body would accept my “do no harm” amendment.

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

Mr. LEWIS of California. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN (Mr. GILCHREST). The gentleman from California (Mr. LEWIS) is recognized for 5 minutes.

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

Mr. LEWIS of California. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, the gentleman from Florida (Chairman Young) and I discussed this amendment. We last year talked about it, but didn’t pass it through because of it because he brought to our attention a real problem, not on this individual but of these folks coming out of Iraq.

On March 18, 2004, James was wounded by enemy fire while riding on the back of a U.S. military vehicle in Iraq. A rocket fired at the vehicle killed the driver and injured two Marines, including James. A piece of shrapnel pierced his skull and penetrated his intestines and spine, hitting him from the waist down. James’s pay was immediately cut when he was transported out of the combat zone in Iraq. He was discharged from the hospital in August and from active duty in September. Unfortunately, James story is the story of many more soldiers serving in Iraq and Afghanistan, struck down by hostile fire or mortars or improvised explosive devices.

Soldiers who would never leave a wounded comrade unattended on the battlefield suddenly find themselves in a hospital bed fighting for their lives. They have been separated from their unit, they are distressed about their condition, about what it means for the future about what they will smack from their unit by a mortar shell, about being helicoptered away from a very special group that had promised to protect each other come hell or high water. Now they are in the hands of people who made no such pledge, and the first thing the soldier learns is that his pay is being cut. I cannot imagine a more unambiguous way of telling that soldier that he or she is not as valuable today as yesterday.

Some have said to me, these are special pays for special purposes. We cannot be extending them indefinitely. There are two answers to this: one, my amendment would not extend them indefinitely, only to the point where the soldier has recovered and been reassigned or discharged; and, two, the Congress has already recognized the principle that combat pay should be extended to the wounded soldier in the hospital. It did so in the case of the combat pay tax exclusion which extended combat pay from taxation until the soldier is discharged from the hospital.

I would hope that this body would accept my “do no harm” amendment.

Mr. Chairman, I reserve the balance of my time.
who are losing this money at a critical time in their lives. We are going to look at it and try to figure out what we can do. With the chairman’s cooperation, hopefully we will be able to figure something out to take care of these people who are really suffering because financially they are really hurting when they come out of there. He and I have both seen them at the hospitals. We know how hurt they are, but when they lose their financial resources, it hurts the families. So if the gentleman does withdraw his amendment, we will do everything we can to work this thing out.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, let me respond by saying that the gentleman from Florida (Mr. YOUNG) had to leave this evening. Because of that he is not here to interact regarding this amendment. I understand that what the gentleman from Pennsylvania has described is exactly my chairman’s feeling. And, frankly, I think the gentleman’s willingness to cooperate.

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

Mr. LEWIS of California. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I thank both gentlemen for their statements. It is my intention to try to work in a way in which we can find a way to guarantee that once someone has been shot and taken out of the combat zone that their benefits are not cut. The irony is of course if they are shot but not seriously wounded and they stay in Iraq, they do not lose any of these benefits. It is only the most serious who lose the benefits. I would like to be able to work with them.

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

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

There was no objection.

The Acting CHAIRMAN. It is now in order to consider the third amendment from the gentleman from Massachusetts (Mr. MARKEY).

AMENDMENT OFFERED BY MR. MARKEY

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 offered by Mr. MARKEY:
Page 72, after line 17, insert the following:

TITLE VII—ADDITIONAL GENERAL PROVISIONS

Sec. 7001. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984): (1) Section 2340A of title 18, United States Code, and any regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

The Acting CHAIRMAN. Pursuant to the order of the House today, 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. MARKEY. Mr. Chairman, I yield myself 1 minute.

The amendment I am offering today simply reaffirms the United States’ commitment to the Convention against Torture. The United States signed this treaty under President Reagan, and the Senate ratified it in 1994. Despite our commitments under this treaty and the recent statements made by the administration emphasizing that the United States is emphatically and unambiguously against the use of torture, reports keep growing of the United States sending detainees to countries where they are likely to face torture, including countries notorious for human rights violations, including Syria, Uzbekistan, and Egypt and other countries with which our government will just restate existing law so that this body is put on record taking the position which Ronald Reagan did in his negotiations of the Convention against Torture.

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

Mr. LEWIS of California. Mr. Chairman, I ask unanimous consent to claim the time.

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

There was no objection.

The Acting CHAIRMAN. The gentleman from California (Mr. LEWIS) is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

I took this position on this amendment because I do not want to rise in opposition to the amendment. As the gentleman suggested, it is a restate-ment of existing law. I think it is appropriate for us to consider it in that connection, and, further, I would like to say to the gentleman that the Chair is inclined to accept the amendment.

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

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), the cosponsor of this amendment.

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

I appreciate his leadership on this issue, and I appreciate the chairman of the committee being willing to accept the restatement of existing law.

But I think it is important for this Chamber to acknowledge that there is a scandal brewing. The news accounts make clear what our committee system has not yet focused in on. There are, in fact, numerous cases that are being brought forth of torture and the horrendous practice of our sending people to other countries after we have kidnapped them knowing that these suspects are going to be tortured.

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

Throughout United States history, we have been the world’s moral and political leader. One of the things that really strengthened our hand at Nuremberg was that in turn the Germans could not make a case that we had engaged in the kind of human rights violations that the Nazis had engaged in. It made the trials at Nuremberg a moral statement about the United States and our view of the way in which war should be fought.

This debate that we are having is intended on ensuring that we restate that commitment. We cannot have Uzbekistan, we cannot have Syria dictating what the standards are for our country. We cannot take prisoners within our control, put them on planes, and have them flown to other countries where whatever standards exist in that country dictate whether or not and what kind of torture will be engaged in.

The statement which we are making today on the floor will be to once again reassert this Congress’ complete commitment to the Convention against Torture. I think it is important at this time that we once again make this point because the rest of the world looks to us as the moral leader and it is important for us in act as well as in word to uphold that standard.

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

Mr. WOLF. Mr. Chairman, I yield back the balance of my time.
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 ayes appeared to have it.

Mr. MARKEY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The Acting CHAIRMAN. Pursuant to clause of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) will be postponed.

The point of no quorum is considered withdrawn.

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

Mr. Chairman, I am simply filibustering here for the moment until we get the next person here to offer an amendment, and I hope that he arrives quickly, and simply say what we are trying to do is to proceed as far as we can in finishing this bill tonight, and we hope that we have the cooperation of every Member so we can do that.

There may be at least one amendment that has to go over until tomorrow along with final passage, but we would hope to minimize that so that we take up as little time as possible tomorrow with this bill. For anyone who is interested, that is what we are trying to do today.

Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. MURTZA) who wants to brag a bit on his section of the bill.

Mr. MURTZA. Mr. Chairman, I just want to talk about how good the Defense portion of this bill is, and I was disappointed we lost the embassy vote, and hopefully we will be able to repair that. But let me say that the members of the Defense Subcommittee went out to have a strategy session. We have all kinds of shortages. We added $1.8 billion to this bill to take care of things like spare parts, small arms, mortars, things that one would expect that they would have. We not only have shortages overseas and equipment that is worn out overseas, we have Reserve and National Guard units that are actually going to the major bases like Fort Bragg and having to rehabilitate that equipment.

One of the reasons we put in $7 billion for rehabilitation of equipment was because of what we found out in the field. We think it is absolutely essential to get the Army back in shape so that when these units are called up they have the right equipment when they try to, and when they go overseas they have the right equipment.

So I would hope everybody would vote for this bill.

Mr. OBEY. Mr. Chairman, reclaiming my time, while the gentleman is getting ready to proceed, let me make one other point with respect to the Lantos amendment. We have done our best to expand benefits to servicemen and women who have been killed in the line of duty. I think there is still one gaping hole. For someone who is seriously injured in Iraq or Afghanistan whose ability to obtain gainful employment may be permanently impaired because of what happened to them in combat. I think that is really what we need to think through little this country does for people in those situations. It just seems to me that especially given the fact that we do not have a draft today and given the fact that so many people go into the service in order to be able to save some money so they can go to college. I think the sacrifice that people are called upon to make falls very unevenly in this society, and we have to do much more to see to it that those persons who do pay a major price because they could not afford to go to college without first going into service, for instance, I think that we need to do much more to provide enhanced benefits for them and for their families and for their children.

The Acting CHAIRMAN. It is now in order to consider the fourth amendment listed in the order of the House of today.

AMENDMENT OFFERED BY MR. WEINER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

TITLE VII—ADDITIONAL GENERAL PROVISIONS

Sec. 7001. None of the funds made available in this Act may be used for assistance to the Palestinian Authority or for programs, projects, and activities in the West Bank or Gaza.

The Acting CHAIRMAN. Pursuant to the order of the House today, the gentleman from New York and a Member opposed the opening of the bill for amendments. The Chair recognizes the gentleman from New York (Mr. WEINER).

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

I thank the chairman of the subcommittee and the ranking member of the full committee for stalling a bit while I prepared.

This amendment is very simple. It simply says that we should not allocate at this moment in time any aid to the Palestinians.

We have a history in this Congress of rushing forward at the first sign of an opportunity. I fully concede that this is such a moment in the Middle East. We, the taxpayers, are the full committee for stalling a bit while I prepared.

This amendment is very simple. It simply says that we should not allocate at this moment in time any aid to the Palestinians.

We have a history in this Congress of rushing forward at the first sign of an opportunity. I fully concede that this is such a moment in the Middle East. We, the taxpayers, are the first to put money on the barrel head: $612 million up to now, including $20 million in direct aid to Prime Minister Mahmoud Abbas. If the nation sounds a bit surprised at the $20 million that was not offered and proposed during this administration of Mahmoud Abbas. It was the last time. That money went in direct aid, and it is now gone.

We have a tendency all too often to want to wish things to go well in the negotiations between the Palestinians and the Israelis, and the way we express that wish as taxpayers is by essentially giving money and more money and more money.

There is no doubt in my mind that we in the United States have an important role to play here, but that hopefully will ensue. But what we should be doing is offering money based on performance, money based on transparency, money based on democratization, money based on furtherance of U.S. interests.

We are offering this money now, and it is tied to nothing. There does not have to be compliance with the road map. There does not have to be compliance with past agreements. There does not have to be a annexation, and there does not have to be any type of transparency.

You know, I am not the first to say this. The IMF acknowledged in 2004 that $700 million in funds that went to the Palestinian Authority were not accounted for.

Now, the funds we provide do not go to the Palestinian Authority except for the $20 million I referenced earlier. They go to NGOs in the region. But I will argue to you that just the same way we would not fund an NGO in Iran or North Korea until we started to see some dramatic change in behavior, we should not do it here either.

What we should do is we should pass my amendment. The committee should return to the administration and say look, we want to be participants in this peace process as well. Here is what we will do. Rather than $200 million now at the front end, we will say $23 million. At the end of the year, if you have complied with the road map towards peace that the President has laid out, we will put in another 50 or another $75 million. If after a year and a half there seems to have been 100 percent effort to cut down on violence, not the nonstop falling of Kassam rockets that is going on now, then maybe we do another $50 million or another $75 million, essentially using the money as a reward for the type of activity that the United States and our taxpayers want.

Now, no one could argue that today, despite the changes in the Middle East, ones that, frankly, have me optimistic, no one could argue that Mahmoud Abbas has shown 100 percent effort to end violence. No one could argue that the Palestinians now have transparent government. No one could argue that Mahmoud Abbas has shown 100 percent effort to end violence. I am not saying do not provide aid. I am saying that this is the least beneficial way to do it. You give them $200 million. If tomorrow we learn that the Palestinian administration has not lived up to its commitments, then we will have lost the money.
Now, let me conclude before I reserve my time with this thought. You know, this is not the first time we have been in this pattern. We can learn a little something. At the Wye River Accord we put in money. Wye River went away. The Israelis walked away from it because the Palestinians violated it. Our money was still going.

The Oslo Accords the same way. U.S. dollars were going long after the Oslo Accords had run aground. The Tenet plan, the Mitchell plan, the road map to peace, we forget that million in direct aid went to the Palestinians and the same exact arguments that my good friend, the gentleman from Arizona, is going to make here today were made then. These are optimistic times. There is a new administration. We need to foster, we need to encourage it. I do not dispute that. The only question is do we put the money on the barrel head first, or do we wait till later.

And one final point. You know, the Israeli position I do not really know on this issue. And frankly I do not care. Lobbying organizations on behalf of the process, that is not what this is about. This is about taxpayer dollars and how they are most wisely spent.

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

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIRMAN (Mr. GILCHRIST). The gentleman from Arizona (Mr. KOLBE) is recognized for 10 minutes.

Mr. KOLBE. Mr. Chairman, I yield myself 4 minutes. Mr. Chairman, I do rise in very strong opposition to this amendment. I cannot think of an amendment that could send a worse message to the Middle East. For the first time in years, we have prospects, real prospects for peace in the Middle East with the change in the leadership of the Palestinian Authority. We are still a long ways away from having a lasting peace or a just peace. But we have the best prospects we have had in years, some would say even in decades.

We have a responsibility to do everything we can to help Mr. Abbas, Prime Minister Abbas secure stability in his territories. I cannot think that anybody in this body would want to look back a few months or a few years from now knowing that we had adopted an amendment like this which would absolutely cut off at the knees the opportunity to bring peace to the Middle East. But make no mistake about it, that is exactly what the amendment offered by the gentleman from New York would do.

But I am glad in a way that this amendment is offered because it gives me an opportunity to describe some of the points in our bill that I think make it such an excellent approach to the issue of assistance to the Palestinians. I know our subcommittee has had, about how this money has been spent over the years, that none of our assistance be used for subversive purposes to support terrorist activities.

To protect against such a thing as that happening, USAID is already required to certify that its contractors are not affiliated with any terrorist organization. Assistance is not being used in any way that might support terrorism. The committee recommendation strengthens those protections by requiring the GAO, the General Accounting Office, to audit our assistance program, our assistance programs to help us make sure that these protections work properly.

But we have gone even further than that. We have set aside $5 million to be paid for an audit of the Palestinian Authority’s financial system by an independent, internationally recognized accounting firm so we can begin to get to the bottom of how some of these monies are being spent, have been spent in the past.

And I know that the finance minister of the Palestinian Authority is very anxious to have this independent audit because he believes it will reveal where some of the money has been misallocated in the past by Mr. Arafat and some of his people.

Finance Minister Fayad has already been working with the World Bank to develop a list of organizations that might be used to do this auditing. The committee’s recommendation directly addresses the concerns of those who do not want money to go directly to the Palestinian Authority. It prohibits any of the money, as the gentleman did say, prohibits any of the money from going directly to the Palestinian Authority. But it also addresses, I think, the concerns that we have about taking away the flexibility of the administration to provide funding to Prime Minister Abbas’s government as the administration did for the Arafat regime. To do that would send precisely the wrong message at this point.

The compromise that we have in the language preserves the administration’s ability to provide a waiver for the $75 million that is in the fiscal year 2005 legislation, but removes the Presidential waiver authority to do so with this $200 million provided in this legislation.

I say to my colleagues, this would harm the people of the Palestinian territories, but it goes even further than that. It harms the chances for the people of Israel to have a lasting peace. I am not sure if the gentleman from New York is aware that this would cut out $50 million that goes to strengthen the border crossing points for Israel, because it prohibits funding for any programs or activities in the West Bank or Gaza. It would cut out the money we are providing here to strengthen the border crossings between Israel and the Gazans and the West Bank.

It is exactly the wrong signal that we would be sending. It would erode the hope that we have for a stable peace in that region. I certainly urge my colleagues to vote against this amendment and to defeat it soundly.

Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I thank the chairman for yielding me time, and I rise in strong opposition to the amendment.

I understand many of the points that my colleague and friend from New York was making, but I think it is clear from the comments of the gentleman from Arizona (Chairman KOLBE) on how we crafted the bill that I think we address almost every point the gentleman is making.

I feel very strongly that we have to take this opportunity to work with the Palestinians and work with the Israelis to try and move towards a peaceful settlement. We have heard Rabin say, “You don’t make peace with your friends; you make peace with your enemies.” I can remember Barak, and he would say to us very clearly, “Trust, but verify.”

I think there is clear language in this bill that verifies what we are doing in order to provide the assistance to the West Bank and Gaza program.

I have felt that the prospects for peace in this region and for the ultimate security of Israel depend on bringing economic stability to the West Bank and Gaza. We have gone even further than that. It harms the chances for the people of Israel to have a lasting peace. I am not sure if the gentleman from New York is aware that this would cut out $50 million that goes to strengthen the border crossing points for Israel, because it prohibits funding for any programs or activities in the West Bank or Gaza. It would cut out the money we are providing here to strengthen the border crossings between Israel and the Gazans and the West Bank.

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Let me first of all say to the gentleman, the chairman of the subcommittee, there are no two stronger supporters of Israel in this Congress; but I have to tell you, I can practically write your remarks, because I heard them at Wye River. I heard them after Oslo, I heard them after the Tenet Plan, I heard them after the Mitchell Plan, and I heard them after the road map. And I will summarize them this way: there is never a good time to change our policies on funding the Peace Process.

It is always an optimistic time when we begin these negotiations. I do not deny it. And I am not saying do not engage in them. I am saying let us use the U.S. tax dollars in a smarter way. Let us say, why give them $200 million and then say, okay, go off and do the best you can. Why not say give them 10 percent now, 50 percent later on. We incentivize other activities in Congress, Why not do that one?

By the way, I know all about the USAID restrictions. I know about them, because you wrote them last time, and they were very, very tough. They said you cannot get a single dime, a single shekel, unless you agree that you will not support terrorism. You know what? They would not sign. A lot of these NGOs would not sign that document until the gentlewoman from New York went back and said, well, you better believe you are going to have to sign it, and then the negotiations began.

As to the notion that this one adds, well, now we are not just going to have restrictions, but we are going to have an audit. I have to tell you it is kind of like saying let us invest in Enron because there is a strong audit going on.

Maybe the smarter thing to do would be to say this: let us have the audit. Let us see if the new finance chairman is up to snuff. Let us see if Mahmoud Abbas really can delivery, and then give them more and more incentives to continue to comply with their agreements.

Why is that so counter to what we do around here? We demand that type of accountability everywhere else. It is not as if they have a good record. Every single time we have invested, we have looked back and said, well, that is another $100 million; oh, that is another $50 million.

Well, we were so optimistic. I am optimistic too, but it is deja vu all over again.

Mr. WEINER. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I would just like to stress again, we know that this is tough. We know this is not easy or there would have been peace a long time ago.

And if Sharon is willing to work with Abu Mazen and if he is willing to work with the Palestinian Authority, we feel we have to take risks for peace but not risks for just throwing the dollars. If you look at it carefully and I know the gentleman has, there are very clear auditing guidelines. There is a clear requirement for a plan. It is not as if we are going to say, here, here is the $200 million because we respect the fact that there have been many failures in the past. But in my judgment, if the Israelis want peace, if Sharon is willing to work with the Palestinians and take these risks, then we should be willing to do it with appropriate accountability and auditing.

Mr. WEINER. Reclaiming my time, first let me say, Sharon has his constituents, Abu Mazen has his and I have mine. My constituents, frankly, it is their tax dollars we are investing here. This policy we are talking about. They have to pursue it the best they can and hopefully it works out this time. I am not talking about the Palestinian allocation.

I am talking about the fact that I have heard before. I have heard we have tough restrictions. As the gentlewoman knows, we thought we wrote the perfect ones in the bill last time, requiring them to sign. We will certify not a single dollar goes to a terrorist organization. We had to fight kicking and screaming to get these organizations to sign these documents. It is our money. And all I am saying is let us stage it. Let us phase it in. Let us make it based on incentives. It did not work in the Mitchell Plan.

By the way, I point out every negotiation that the Palestinians and Israelis have engaged in, that is the way they did it. In Oslo they did not say, here is everything. In Oslo they say, you do A, we will do B. You do C, we will do D. What do we do? We walk up to the plate. We are so eager for peace, and we all are, we are so eager to show that we are committed to it, we put the dollars out there without my incentivization on it.

I think if what it says is Congress allocates $25 million and says $175 million are there if things go well.

Mr. Chairman, I reserve the balance of my time. The committee has the right to close.

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

We have had this conversation about peace plans before, but that is precisely what I am talking about the realities on the ground. As much as Abu Mazen has said many of the right things, let us remember what happened in those elections in Gaza, 77 of 118 seats were won by Hamas, 77 of 118 seats were won by Hamas.

Now why is that significant? Democracy, sometimes you get what you want, sometimes you do not. But let us remember what Hamas has said. They have publicly announced they will not abide by any ceasefire negotiated by Abu Mazen. Now, Abu Mazen is the one that we have referred to here. Mahmoud Abbas is who we have referred to here as the new partner for peace.

The gentleman who just spoke has said the Arafat era is over. The Abu Mazen period has just begun. Let us not make our investment a foolish one.

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

Mr. Chairman, let me close with two closing moments to correct a couple of things that were said. There was a statement made by the gentleman from New York (Mr. WEINER) and I do appreciate his statements about the support that the gentlewoman from New York (Mrs. LOWEY) has shown me, and I have given over the years to Israel because we certainly strongly support the Israeli state in not only its creation but its protection and its security.

The gentleman made the statement that we would not think of funding NGOs in some countries, the gentlewoman said something like Iran, and I would...
add we do have NGOs that we work in countries like Iran and Zimbabwe and other countries like that. We work with NGOs because there we can be sure the money is not flowing into the government. That is exactly what we are doing here with funds for the Palestinian people. This money goes to projects. It does not go to the Palestinian Authority.

The gentleman made the statement, he said we should provide these funds incrementally. We should spend the money in increments. But the fact of the matter is the gentleman’s amendments would not allow you to do that. The gentleman’s amendment says none of the funds may be spent in the West Bank or in the Gaza area. So even if they did comply with all of the requirements, none of the money still could be spent. So there is no way that you could possibly reword this.

Yes, the gentleman is right that we have had high hopes after other discussions. A Oslo agreement and after the Wye Accords. We had high hopes at that time and they have been dashed. But the money that we allocated at that time, none of that was ever given to the Palestinian Authority. In terms of projects and of what we wanted to do to try to provide the carrot. It may not have worked but it was not money that was lost either.

So the gentleman is simply saying that we have less confidence in this new Palestinian Authority leadership than in the leadership of Arafat. That certainly makes no sense whatsoever. For us to deny any of these funds to be used to help bring about a peaceful settlement now would be absolutely the wrong thing for us to do.

I would urge my colleagues to reject this amendment. We have good reporting requirements in the legislation. We have restrictions on how funding can be used. It cannot go to the Palestinian Authority. It goes for projects. It goes through NGOs. But we want to send the right signal to Palestinians, the right signal to Israel, the right signal to the American people. It goes for projects. It goes through NGOs. But we want to send the right signal to Palestinians, the right signal to Israel, the right signal to the American people. But we want to send the right signal to Palestinians, the right signal to Israel, the right signal to the American people.

Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GILCHREST, 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. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes, had come to no resolution thereon.

BLUE DOG COALITION 12-STEP BUDGET REFORM PLAN

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

Mr. COOPER. Mr. Speaker, this week the House of Representatives will pass a budget for the United States of America, $2.6 trillion. Whatever budget passes this House should include the Blue Dog Coalition’s reform measures. These measures are supported by groups as diverse as the Concord Coalition, the Heritage Foundation, the National Taxpayers Union, Citizens Against Government Waste, Taxpayers For Common Sense and, Centrists.org.

What is in this package? It is basically a 12-step plan. That is right, a 12-step plan to get our Nation off its drunken deficit binge. We need to take serious measures here such as a balanced budget amendment to the Constitution, such as real PAYGO, such as the simple truth that we have a cost estimate of every bill that comes before this House.

There is too much unaccountability here. We need to make sure that Members are held accountable. Our deficit is perhaps the greatest national threat that we face. This should be done on a bipartisan basis and whatever passes this House should have the Blue Dog Coalition reform measures in it.

BLUE DOG COALITION—FAVOR FOR THE 12-STEP BUDGET REFORM PLAN

“The budget reform package introduced by the House Blue Dog Coalition is a credible, balanced package that offers the potential for bipartisan agreement on meaningful reforms. Many of the proposals in the package have bipartisan support or have received bipartisan support in the past.”—Ed Lorenzen, Centrists.org

“The Blue Dogs deserve credit for putting out a strong, serious proposal to restrain runaway spending. Taken together with the Republican Study Committee’s similar proposal and the Blue Dog proposal, this proposal represents a growing bipartisan consensus that sanity must and can be restored to the federal budget process.”—Brian Reidl, Heritage Foundation

“I’m pleased there seems to be a mounting consensus on Capitol Hill that spending is out of control and something must be done. . . . The Blue Dogs have provided 12 ideas to bring more order to the budget process.”—Tom Schatz, Citizens Against Government Waste Coalition

“(With) the Blue Dog Democrats now offering serious ideas on how to change the course of our fiscal ship, conservatives are ripe to make desperately needed bipartisan repairs to the faulty rudder that has been steering the budget process into a sea of red ink. Broken as a whole, the Blue Dog proposal moves the debate over budget reform forward.”—Tad DeHaven, National Taxpayers Union

“Taxpayers for Common Sense Action applauds the Blue Dog Coalition’s 12-step plan to cure our nation’s addiction to deficits. The first step to overcoming any addiction is to admit you have a problem. Congress and the President can take their first strides toward budgetary recovery by enacting many of these proposals immediately.”—Jill Lancelot, Taxpayers for Common Sense

BLUE DOG COALITION—FAVOR FOR THE 2004 BUDGET ENFORCEMENT BILL

“The Concord Coalition strongly supports the Blue Dog Coalition’s call for a tough new budget enforcement law . . . We are particularly pleased that the budget enforcement bill, Blue Dogs have proposed, would restore statutory caps for discretionary spending and the original pay-as-you-go requirement for entitlement expansions and tax cuts.”—Bob Bixby, Concord Coalition

BLUE DOG COALITION—12-POINT REFORM PLAN FOR RESTORING FISCAL SANTITY

1. Restore a balanced budget. Blue Dogs support a Constitutional amendment to require a balanced budget every year except in times of war or national emergency. Blue Dogs believe a Balanced Budget Amendment is the only way to ensure fiscal discipline in Congress.

The Blue Dog Balanced Budget Amendment would require a three-fifths vote of both the House and Senate to increase the debt limit or to waive the balanced budget requirement.

In addition, the Blue Dog Balanced Budget Amendment protects Social Security from benefit cuts and forbids increases in Social Security payroll taxes in order to balance the budget.

2. Don’t let Congress buy on credit. Thanks to irresponsible spending, our nation’s budget deficit in 2004 was the largest in recorded history—$413 billion. Blue Dogs want to restore the budget rules that Congress once lived by, including, most importantly, “pay-as-you-go” budgeting.

Known as “PAYGO,” this means that any new spending must be paid for by cuts in other programs or by new revenues. Restoring PAYGO will end Congress’s habit of deficit spending and put our nation back on track toward fiscal responsibility. The Blue Dog budget package would extend PAYGO rules through 2010.

3. Put a lid on spending.—From 2001 to 2003, total government spending soared by 16 percent. Blue Dogs want strict spending caps to slow the growth of runaway government programs. Blue Dogs propose holding the line on discretionary spending for the next three fiscal years at 2.1 percent. This percentage increase proposed this year in the President’s fiscal 2006 budget.

4. Require agencies to publish their fiscal budgets. Order—Blue Dogs call for the Government Accounting Office, 16 of 23 major federal agencies can’t issue a simple audit of
their books. Worse, the Federal Government can’t account for $32.5 billion spent in 2003. Government auditors should be doing a better job of tracking taxpayer dollars. Blue Dogs propose freezing federal agencies that can’t properly balance its books.

5. Make Congress tell taxpayers how much they’re spending.—Many spending bills slide through Congress on a voice vote with no debate and no roll-call vote on bills with out knowing their cost. Blue Dogs propose that any bills calling for more than $50 million in new spending must be put to a roll-call vote.

6. Set aside a rainy-day fund.—Under current law, almost any spending can be designated an “emergency,” and so-called “emergency spending” has turned into a giant loophole for non-emergency spending. Blue Dogs propose closing this loophole by defining emergency and requiring Congress to have a separate vote on items that are designated “emergency” spending. Blue Dogs also propose creating a rainy-day fund—something that 45 states currently do.

7. Don’t hide votes to raise the debt limit.—Current House rules allow for automatic increases in the debt limit if Congress passes a budget resolution that increases the public debt. Since its establishment in 1980, this rule has been used to shield as many as 12 separate increases in the debt limit from a vote. Blue Dogs believe that increases in the public debt limit shouldn’t be hidden from public view. Blue Dogs propose to change the current rules so that every increase in the public debt limit must be subject to a rollcall vote.

8. Justify spending for pet projects.—Every year, Congress spends billions on wasteful pork-barrel projects such as $50 million for an indoor rainforest in Iowa and funding for the Paper Industry International Hall of Fame.

Since 1991, Congress has spent $185 billion on pet projects for members of Congress, and in fiscal 2001 alone, pork-barrel spending totaled $22.9 billion.

While many of these projects may be worthy of taxpayer support, many are not. Blue Dogs propose that members of Congress must provide written justification, available to the public, of any earmarked spending for pet projects.

9. Ensure that Congress reads the bills it’s voting on.—Over the past few years, some of the largest spending bills in American history have come to the floor with only a few hours of consideration. For example, the Medicare prescription drug bill, now estimated to cost $720 billion over the next ten years, went to a vote barely a day after the final version of the 500 + page bill was made available to members of Congress. Blue Dogs propose that members of Congress should be given a minimum of three-days to have the final text of legislation made available to them before they vote.

10. Require honest cost estimates for every bill that Congress votes on.—Both taxpayers and members of Congress should be aware of the price tag for any legislation passed by Congress, and there are no current requirements that bills be accompanied by an honest and objective estimate of their fiscal impact. Blue Dogs propose that every conference bill and bill that comes to the floor of the House be accompanied by a cost estimate prepared by the nonpartisan Congressional Budget Office (CBO).

11. Make sure new bills fit the budget.—The Budget Committee can play an important role in making sure that new legislation passed by Congress lives within the rules agreed upon by Congress in the annual budget resolution.

Blue Dogs propose that the Budget Committee strengthen its oversight role by preparing budget compliance statements for every bill that is reported out of committee for consideration by the full Congress.

12. Make Congress do a better job of keeping tabs on government programs.—Blue Dogs believe that one way to restrain growth in federal spending is to ensure that taxpayer dollars are spent wisely. Blue Dogs also believe that Congress can do a better job of carrying out its oversight responsibilities. Blue Dogs propose that each committee be required to submit reports at least twice a year, available to the public, that provide an update on how each committee is fulfilling its oversight duties.

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.

EVEN START

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

Mr. CUNNINGHAM. Mr. Speaker, I am a strong supporter of our President and I feel that he has done a good job in this Nation. Actually the world owes him and the First Lady a lot of support and our gratitude.

Sometime the bean counters in the White House though take a look at a program and do not look at its effectiveness and they eliminate it. Many times they have to look at a program and eliminate it if it is duplicative or wasteful or ineffective.

But during the last budget process there was a program on the list that was not only effective but enhanced Leave No Child Behind and education, and the title of that was Even Start.

Ask any teacher, administrator or parent that if a parent is involved in the program called Even Start and my friend, the gentleman from Wisconsin (Mr. OBEY) and I have a friend named Peter Yarrow involved in that. I know I can count on my colleague to support this because we did last year.

This program brings parents and it brings students together to work together. Any time you have involvement parents in education the outcome is much, much better.

Chairman Bill Goodling, the former Member who was then the chairman of the Committee on Education and the Workforce, ramrode Even Start. He kept it alive when it was almost fatal. This House last Congress recognized the significance of the successful program and came together, both Republicans and Democrats, and reinstated the Even Start program. The gains in low income children, their parents are well-documented in improving literacy levels and assisting parents in completing their GEDs. Quite often low income parents in our districts and the gentleman from California’s (Mr. FITZGERALD) and the gentleman from Wisconsin’s (Mr. OBEY) do not even speak English, and these parents actually come together with their children and work these programs, and we want to have it reinstated. I have faith that we are.

The fact that the chairman of the Committee on Education and the Workforce, the gentleman from Ohio (Mr. BOEHNER) is supportive, and the gentleman from California (Mr. MCKEON), chairman of the sub-committee, are supportive, and we have commitment I believe in the Senate to do the same thing.

My wife asked me to go listen to a man one year who is a good friend of the gentleman from Wisconsin (Mr. OBEY) as well. She said, I want you to go here Peter Yarrow. I said, who is Peter Yarrow? She said, Peter, Paul and Mary, Peter Yarrow. I said, that anti-war, left-wing guy, I am not going to go listen to him, and she said, Well, honey, I support you and your events, so to this thing with me. I did, and I think the gentleman from Wisconsin (Mr. OBEY) will admit and agree that he is one of the most caring people that we have ever met, especially when it comes to children and children’s programs.

Peter Yarrow has a song called “Don’t Laugh At Me,” and he is involved also in the Even Start program, and I would submit the rest of this for the RECORD, but Peter’s issue is that things like Columbine, if we would have encouraged these children to get together and not laugh at each other, then maybe we would not have had a Columbine.

I would like to read just a few stanzas of the song that he sings. He was so effective, I invited this guy that I do not agree with in many politics, but we brought him before the Republican Conference, and he wowed the people and got support for the Even Start program.

I’m a little boy with glasses, the one they call a geek. A little girl who never smiles, ’cause I have braces on my teeth. And I know how it feels to cry myself to sleep.

I’m that kid on every playground who’s always chosen last. A single teenage mother, tryin’ to overcome my past. You don’t have to be my friend, but it is too much to ask.

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Chairman Bill Goodling, the former Member who was then the chairman of the Committee on Education and the Workforce, ramrode Even Start. He kept it alive when it was almost fatal. This House last Congress recognized the significance of the successful program and came together, both Republicans and Democrats, and reinstated the Even Start program. The gains in low income children, their parents are well-documented in improving literacy levels and assisting parents in completing their GEDs. Quite often low income parents in our districts and the gentleman from California’s (Mr. FITZGERALD) and the gentleman from Wisconsin’s (Mr. OBEY) do not even speak English, and these parents actually come together with their children and work these programs, and we want to have it reinstated. I have faith that we are.

The fact that the chairman of the Committee on Education and the Workforce, the gentleman from Ohio (Mr. BOEHNER) is supportive, and the gentleman from California (Mr. MCKEON), chairman of the sub-committee, are supportive, and we have commitment I believe in the Senate to do the same thing.

My wife asked me to go listen to a man one year who is a good friend of the gentleman from Wisconsin (Mr. OBEY) as well. She said, I want you to go here Peter Yarrow. I said, who is Peter Yarrow? She said, Peter, Paul and Mary, Peter Yarrow. I said, that anti-war, left-wing guy, I am not going to go listen to him, and she said, Well, honey, I support you and your events, so to this thing with me. I did, and I think the gentleman from Wisconsin (Mr. OBEY) will admit and agree that he is one of the most caring people that we have ever met, especially when it comes to children and children’s programs.

Peter Yarrow has a song called “Don’t Laugh At Me,” and he is involved also in the Even Start program, and I would submit the rest of this for the RECORD, but Peter’s issue is that things like Columbine, if we would have encouraged these children to get together and not laugh at each other, then maybe we would not have had a Columbine.

I would like to read just a few stanzas of the song that he sings. He was so effective, I invited this guy that I do not agree with in many politics, but we brought him before the Republican Conference, and he wowed the people and got support for the Even Start program.

I’m a little boy with glasses, the one they call a geek. A little girl who never smiles, ’cause I have braces on my teeth. And I know how it feels to cry myself to sleep.

I’m that kid on every playground who’s always chosen last. A single teenage mother, tryin’ to overcome my past. You don’t have to be my friend, but it is too much to ask.
Don’t laugh at me. Don’t call me names. Don’t get your pleasure from my pain. In God’s eyes, we’re all the same. Someday we’ll all have perfect wings. Don’t laugh at me...

I’m fat, I’m thin, I’m short, I’m tall, I’m deaf, I’m blind, in a way, we are all. I’m black, I’m white, and I am brown. I’m Jewish, I’m Christian, and I am Muslim. I was born in Sarajevo, I was born in Kosovo. I was born in Northern Ireland. I was born in Africa. I’m of the Hutu tribe. I’m of the Tutsi tribe. I’m an American Indian. I was born in Iraq, in Afghanistan, in Canada, in Mexico. I was born in Vietnam, in Sudan, I was born in the United States of America.

I’m very young, I’m quite aged, I’m Israeli. I’m Palestinian. I’m quite wealthy, and I am very, very poor.

My country’s ‘tis of thee. Oh, sweet land of liberty. It is of thee that I sing.

There are many stanzas to this song and I challenge anyone in this room or on either side of the aisle to listen to Peter Yarrow and what he stands for and not have tears in his eyes.

Mr. Speaker, I ask for the support of Even Start, and we will put it back into the budget regardless of the President’s bean counters.

You are very familiar with Peter Yarrow and his work. I’ll summarize some Even Start talking points below.

Even Start serves children 0 through 7 years old and their families. The services provided include early childhood education, adult basic education, parenting education and interactive literacy instruction (parents and children reading together).

The San Diego and Poway programs are very successful and have documented significant gains in children’s literacy levels as well as an impressive record in assisting parents in completing their GED. The focus is on assisting parents to be their child’s first and best teacher. In addition, in San Diego we have been very successful in helping parents transition from Spanish to English thereby enabling them to be involved with their children’s education as well as making them more viable in the local economy/job market.

Peter Yarrow has been a great friend to Even Start nationwide—his Don’t Laugh at Me program which is a character education program in schools has been incorporated in many Even Start programs nationwide.

Goals of Even Start:

To extend learning, enrich language development and support high levels of success for children birth to age seven and their families. To break the cycle of limited literacy, underemployment and high mobility of participating families by building literacy skills in both parents and children.

To provide ‘simultaneous’ services for families, where parents and their children learn together. This builds support for parents to succeed with their educational and employment goals, and develop habits of life-long learning for their children.

To support families committed to education and to economic independence.

DON’T LAUGH AT ME (Written by Stokely Carmichael and Allen Shamblin, performed by Peter Yarrow)

I’m a little boy with glasses
The one they call a geek
A little girl who never smiles
‘Cause I have braces on my teeth
And I know how it feels to cry myself to sleep

I’m that kid on every playground
Who’s always chosen last
A single teenage mother
Tryin’ to overcome my past
You don’t have to be my friend
But is it too much to ask
Don’t laugh at me
don’t call me names
Don’t get your pleasure from my pain
In God’s eyes we’re all the same.

Someday we’ll all have perfect wings
Don’t laugh at me
I’m the beggar on the corner
You’ve passed me on the street
And I wouldn’t be out here beggin’
If I had enough to eat
And don’t think I don’t notice
That our eyes may meet
Don’t laugh at me
don’t call me names
Don’t get your pleasure from my pain
In God’s eyes we’re all the same.

Someday we’ll all have perfect wings
Don’t laugh at me...

I’m fat, I’m thin, I’m short, I’m tall
I’m deaf, I’m blind, hey, aren’t we all
Don’t laugh at me
don’t call me names
Don’t get your pleasure from my pain
In God’s eyes we’re all the same.

COMMUNICATION FROM RECEIVING AND WAREHOUSING SPECIALIST IN OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

The SPEAKER pro tempore (Mr. KNOLLENBERG) laid before the House the following communication from David Bogan, Receiving and Warehousing Specialist in the Office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES

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

Dear Mr. Speaker: This is to formally notify you, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a criminal subpoena for testimony, issued by the Superior Court for the District of Columbia.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the rights and privileges of the House.

Sincerely,

DAVID BOGAN,
Receiving and Warehousing Specialist.

The SPEAKER pro tempore (Mrs. DRAKE). 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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. CON. RES. 95, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

Mr. PUTNAM, from the Committee on Rules, submitted a privileged report (Rept. No. 109-19) on the resolution (H. Res. 154) providing for consideration of the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, which was referred to the House Calendar and ordered to be printed.

ORDER OF BUSINESS

Ms. WOOLSEY. Madam Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California? There was no objection.

SMART SECURITY AND $81 BILLION IRAQ SUPPLEMENTAL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, this week Congress is debating the President’s request for more than $81 billion additional dollars to finance his misadventure in Iraq.

I will oppose this bill because I support the troops and have deep admiration for their courage. I will vote against the supplemental because I believe our brave soldiers are being used as pawns by their civilian superiors, whose wastefulness and incompetence is betraying their duty to keep us safe.

This supplemental will bring the overall Iraq price tag to more than $200 billion. What are the American people getting for their $200 billion? What kind of return on their investment?

We have created a hotbed of terrorism in Iraq. We have earned the wrath of the entire Muslim world. Meanwhile, we have a Swiss cheese homeland security system, and we have lost 1,500 of our troops, not to mention the many who will suffer mental trauma for the rest of their lives.

The Center For American Progress did a study of what $200 billion could really buy in terms of our security here in the United States of America.
Five billion dollars would give our ports and waterways the protection they need from attacks.

It would cost only $1 billion to screen all air passenger cargo.

Just $5 billion would allow our rail and public transit systems to meet important security requirements.

Just think of what we could do at home for $200 billion: universal preschool education, comprehensive health coverage for every American, a safe child care system that will give peace of mind to all working families.

There would still be plenty left over to implement SMART security add-ons that would be about preventing war, not preemptive war; that would eliminate wasteful programs like missile defense and the many Cold War relics that are doing nothing to keep us safe.

SMART security would mean robust multilateral alliances to stop the spread of terrorism, vigorous inspection regimes to stop weapons of mass destruction, and an ambitious humanitarian development program that tackles the poverty and despair that foster terrorism in the first place.

$200 billion, that is about $675 for every American man, woman and child, which is not to say that the sacrifices of this war have been spread evenly throughout the population.

The well-connected and the wealthy have not been asked to sacrifice, even though rolling back the Bush tax cuts would go a long way toward paying this enormous bill.

No, the only ones who have sacrificed are coming home in flag-draped coffins because they were sent to depose a regime that represented no imminent threat to our security. Their families did not get a tax cut. The only thing they got from the government was a devastating letter that Donald Rumsfeld did not even bother to sign.

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.

SUPPLEMENTAL APPROPRIATIONS AND OUR NATION’S VETERANS

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

Mr. FILNER. Madam Speaker, I want to explain to my colleagues and to Americans across the country what happened here today on the floor of the House, especially what happened to the veterans of these United States, veterans of past wars, veterans of the current war in Iraq and Afghanistan. Iran may be next.

We had a supplemental budget, they call it, on the floor today, a budget for $81 billion to fund our war in Iraq and Afghanistan; and they called it a supplemental so they could do it over and above the regular budget so they do not have to pay for it in ways that you and I have to pay for things or our businesses have to pay for things. They just create a bigger deficit without accountability.

So they are on their way to passing an $81 billion supplemental bill for our active duty troops; and yet when I brought on to the floor an amendment to that $81 billion that said let us put $3 billion into care for our veterans, those coming back from the wars today and those who have been in wars previous to this, I asked for a figure of $3 billion because that is what the veterans service organizations in this Nation said is what we need more than what the President requested in his recent budget proposal. So I brought on to the floor a $3 billion amendment to an $81 billion bill. Keep in mind that we have a $2.5 trillion budget. We have this year at least a $300 billion deficit. We have an existing debt of $7.5 trillion. We are spending $1 billion every 2 or 3 days in the Middle East, and yet they say we do not have the $3 billion for our veterans.

That is what happened on the floor of the House today, my fellow Americans. They voted down the ability to deal with our veterans.

Those who are coming back today from Afghanistan and Iraq, the vast majority have the potential of having post-traumatic stress disorder, PTSD; and yet when they will need the services in the coming year, we will have reduced those PTSD services because of the cut in the budget that the President has proposed and this Republican Congress has approved.

We will cut nursing care. We will cut research. We will cut prosthetic devices. But we will add more waiting time for those who want a mental health examination or a dental examination. We will add months and months and months to the waiting time for those who want their claims established. Yet when I asked today for $3 billion, the majority of this House said no.

We can afford the $81 billion. It was for our active duty. We can afford a $7.5 trillion debt. We can go into deficits for $400 billion this year, but no, no, let us not pay that $3 billion for our veterans.

I thought that was disgraceful. I thought that was unconscionable. I hope that when the Republican Members of this House go home, all the veterans across this country will say, how come you voted against that amendment to give $3 billion more for our health care? How come you did not respect our active duty, when they come home will not find the services? How come they negatively influence the morale of our troops, because they know that they are not getting proper treatment back home?

I hope people ask that to those Republicans. Congressmen who voted down my motion on a technicality, when we have veterans from World War II and since and coming back today who are suffering.

Madam Speaker, I think that is disgraceful. I think the American people have better questions for Congress about why they do not support the veterans of this United States.

The SPEAKER pro tempore (Mrs. DRAKE). 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 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.

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.

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

Mr. McGovern addressed the House. His remarks will appear hereafter in the Extensions of Remarks.
The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON–LEE) is recognized for 5 minutes.

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

LEAVE OF ABSENCE
By unanimous consent, leave of absence was granted to:
Mr. LEACH (at the request of Mr. DELAHUNT) for today on account of a family emergency.

SPECIAL ORDERS GRANTED
By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FELNER, for 5 minutes, today.
Mr. BROWN of Ohio, for 5 minutes, today.
Mr. MANUEL, for 5 minutes, today.
Mr. WOOLSEY, for 5 minutes, today.
Mr. MCGOVERN, for 5 minutes, today.
Ms. JACKSON–LEE of Texas, for 5 minutes, today.
Mr. FILNER, for 5 minutes, today.

(The following Members (at the request of Mr. KOLBE) to revise and extend their remarks and include extraneous material:)
Mr. HURSTON of Indiana, for 5 minutes, today and March 16 and 17.

ADJOURNMENT
Mr. FILNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to: accordingly (at 7 o’clock and 31 minutes p.m.), the House adjourned until tomorrow, Wednesday, March 16, 2005, at 10 a.m.

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

1159. A letter from the Congressional Review Coordinator, APHS, Department of Agriculture, transmitting the Department’s final rule—Oriental Fruit Fly; Removal of Quarantined Area [Docket No. 02–658–4] received March 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1160. A letter from the Congressional Review Coordinator, APHS, Department of Agriculture, transmitting the Department’s final rule—Oriental Fruit Fly; Removal of Quarantined Area [Docket No. 04–198–2] received March 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1161. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Army, Case Number 97–02, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1162. A letter from the Chairman, Federal Communications Commission, transmitting a letter reporting a violation of sections 301 and 135 of the Code of Federal Regulations (the Antideficiency Act); to the Committee on Appropriations.

1163. A letter from the Under Secretary for Personnel and Administration, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Philip M. Balisle, United States Navy, and his advancement to the grade of Admiral on the retired list; to the Committee on Armed Services.


1166. A letter from the Deputy Secretary, Department of Defense, transmitting a report pursuant to Section 9010 of the Department of Defense Appropriations Act, 2005 [Pub. L. 108–287]; to the Committee on Armed Services.

1167. A letter from the Director, U.S. Mint, Department of the Treasury, transmitting a report describing how the agency is implementing the Public Enterprise Fund (PEF) and using its flexibilities to become a market-driven public enterprise, covering the 1st Quarter of FY 2005, which ended on December 31, 2004; to the Committee on Financial Services.


1169. A letter from the Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting the Department’s final rule—Communities Development Block Grant Program; Small Cities and Insular Areas Programs [Docket No. 05–375] (RIN: 2506–AC17) received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1170. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Chile, pursuant to 12 U.S.C. 635(b)(3); to the Committee on Financial Services.

1171. A letter from the Assistant Secretary, Investment Management/Office of the Comptroller of the Currency, transmitting the Commission’s “Major” final rule—Mutual Fund Redemp-

1172. A letter from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting the Corporation’s final rule—Benefits Payable in Terminated Single- or Employer Plans in Mergers in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received March 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.


1174. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department’s final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption; Acacia (Gum Arabic) [Docket No. 2003–F–0022] received March 11, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1175. A letter from the Secretary, Department of the Treasury, transmitting the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services to the Department of the Treasury under the Treasury license, as required by section 1705(e)(b) of the Cuban Democracy Act of 2000, as amended by section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996, and pursuant to Executive Order 13131 of July 31, 2000, pursuant to 22 U.S.C. 692; to the Committee on International Relations.

1176. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 294(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1701(c), section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on International Relations.

1177. A letter from the Deputy Director, Defense Security Cooperation Agency, Department of Defense, transmitting pursuant to the reporting requirements of Section 2349aa–9(c) of the Arms Export Control Act, as amended, Transmittal No. 05–17, concerning the Department of the Air Force’s proposed Letter(s) of Offer and Acceptance to Iraq for defense articles and services; to the Committee on International Relations.


1179. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting Pursuant to section 401(c) of the LEA–2004 Act (Pub. L. 108–117) and Section 263(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 05–18, concerning the Department of State’s planned Letter of Offer and Acceptance to the Government of Israel for defense articles and services; to the Committee on International Relations.
the award of subcontracts on the basis of re-
ligion, and accompanying Memorandum of 
Justice; to the Committee on Interna-
tional Relations.

118. A letter from the Asst. Secretary for 
Legislative Affairs, Department of State, 
transmitting a report pursuant to the Federal 
Vaclav Havel's visit to America. The 
undersigned troubling the Senate of the United States 
adopted by the Senate of the United States 
July 18, 2004, certification pursuant to Condi-
tion 7(C)(i), Effectiveness of the Australia 
Treaty on Nuclear非Conton, transmitted to 
the Department of State, transmitting sub-
stantive final rule—Security Zone; Chios 
and Patras, Greece; Haiti; Galveston, TX 
(RIN: 1625–AA91) received December 5, 2004, 
pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-
mittee on Transportation and Infra-
structure.

119. A letter from the Chief, Regulations 
and Administrative Law, USCG, Department of 
Homeland Security, transmitting the De-
partment’s final rule—Security Zone; 
File Point, NJ [CGD11–022] (RIN: 1625–AA15) 
received February 10, 2005, pursuant to 5 U.S.C. 
801(a)(1)(A); to the Committee on Transpor-
tation and Infrastructure.

120. A letter from the Chief, Regulations 
and Administrative Law, USCG, Department of 
Homeland Security, transmitting the De-
partment’s final rule—Security Zone; Mex-
ico, Orange Beach, AL [COTP Mobile 
041] (RIN: 1625–AA00) received February 10, 2005, 
pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-
mittee on Transportation and Infra-
structure.

121. A letter from the Chief, Regulations 
and Administrative Law, USCG, Department of 
Homeland Security, transmitting the De-
partment’s final rule—Security Zone; 
Orleans, LA [COTP New Orleans 
029] (RIN: 1625–AA15) received February 10, 2005, 
pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-
mittee on Transportation and Infras-
tstructure.

122. A letter from the Chief, Regulations 
and Administrative Law, USCG, Department of 
Homeland Security, transmitting the De-
partment’s final rule—Security Zone; 
Pittsburgh, PA [COTP Pittsburgh 
020] (RIN: 1625–AA00) received February 10, 2005, 
pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-
mittee on Transportation and Infra-
structure.

123. A letter from the Chief, Regulations 
and Administrative Law, USCG, Department of 
Homeland Security, transmitting the De-
partment’s final rule—Security Zone; 
San Francisco, CA [COTP San Francisco 
011] (RIN: 1625–AA00) received February 10, 2005, 
pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-
mittee on Transportation and Infra-
structure.

124. A letter from the Chief, Regulations 
and Administrative Law, USCG, Department of 
Homeland Security, transmitting the De-
partment’s final rule—Security Zone; 
Venice, LA [COTP New Orleans 
021] (RIN: 1625–AA00) received February 10, 2005, 
pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-
mittee on Transportation and Infras-
tstructure.

125. A letter from the Chief, Regulations 
and Administrative Law, USCG, Department of 
Homeland Security, transmitting the De-
partment’s final rule—Security Zone; 
Washington, DC, National Mall, to the 
Department on Transportation and Infra-
structure.
1217. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule—Safety Zone; Mississippi River Gulf Outlet (MRGO), Mile Marker minus 10 to Mile Marker 2, New Orleans, LA (COTP New Orleans–04–033) (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.


1219. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule—Safety Zone; Mississippi River, Above Head of Passes, Mile 436.0 to 441.0, at the confluence of the Yazoo and Mississippi Rivers, Vicksburg, MS (COTP New Orleans–04–036) (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1220. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule—Safety Zone; Mississippi River Gulf Outlet (MRGO), Mile Marker minus 10 to Mile Marker 2, New Orleans, LA (COTP New Orleans–04–033) (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1221. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule—Safety Zone; Mississippi River Gulf Outlet (MRGO), Mile Marker minus 10 to Mile Marker 2, New Orleans, LA (COTP New Orleans–04–033) (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1222. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule—Safety Zone; Mississippi River Gulf Outlet (MRGO), Mile Marker minus 10 to Mile Marker 2, New Orleans, LA (COTP New Orleans–04–033) (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1223. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule—Safety Zone; Lower Mississippi River, Above Head of Passes, Mile 436.0 to 441.0, at the confluence of the Yazoo and Mississippi Rivers, Vicksburg, MS (COTP New Orleans–04–036) (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1224. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule—Safety Zone; Mississippi River Gulf Outlet (MRGO), Mile Marker minus 10 to Mile Marker 2, New Orleans, LA (COTP New Orleans–04–033) (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1225. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department’s final rule—Safety Zone; Lower Mississippi River, Above Head of Passes, Mile 436.0 to 441.0, at the confluence of the Yazoo and Mississippi Rivers, Vicksburg, MS (COTP New Orleans–04–036) (RIN: 1625-AA00) received February 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1226. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting pursuant to Section 634A of the Foreign Assistance Act of 1961, as amended, and Section 515 of the Consolidated Appropriations Act, 2005, as enacted in Pub. L. 108–447, notification and implementation of the 2005 International Military Education and Training (IMET) program, as approved by the Department of State, requires revisions to the levels justified in the FY 2005 Congressional Budget Justification for Foreign Operations for the enclosed list of countries; jointly to the Committees on International Relations and Appropriations.

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. PUTNAM: Committee on Rules, House Undersecretaries of Health and Human Services, Defense, and Homeland Security to carry out activities toward bringing to market effective medical countermeasures to radiation from a nuclear or radiological attack; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Mr. BUYER (for himself and Mr. EVANS): H.R. 1292. A bill to make technical corrections to the Veterans Benefits Improvement Act of 2004; to the Committee on Veterans’ Affairs.

Mr. ANDREWS (for himself, Mrs. McCARTHY, Mr. HOLTY, Mr. HINKEL, Mr. Davis of Tennessee, Mr. KANJORSKI, Mr. ROSS, Mr. MCDERMOTT, Mr. CASE, Mr. RUSC, Mr. GORDON, Mr. BERMAN, Mr. MERS of New York, Mr. NEAL of Massachusetts, Ms. McCOLLUM, and Mr. Title V, Section 515 of the Consolidated Appropriations Act, 2005, as enacted in Pub. L. 108–447, notification and implementation of the 2005 International Military Education and Training (IMET) program, as approved by the Department of State, requires revisions to the levels justified in the FY 2005 Congressional Budget Justification for Foreign Operations for the enclosed list of countries; jointly to the Committees on International Relations and Appropriations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ISSA (for himself, Mrs. DAVIS of California, and Mr. SESSIONS): H.R. 1290. A bill to amend the Higher Education Opportunity Act of 2004; to the Committee on Education and the Workforce.

By Mr. ANDREWS (for himself, Mrs. MCCARTHY, Mr. HOLT, Mr. OWENS, Ms. HOLLEY, Mr. FATTAH, Mr. HINOJOSA, Mr. Davis of Tennessee, Mr. KANJORSKI, Mr. Ross, Mr. MCDERMOTT, Mr. CASE, Mr. RUSC, Mr. GORDON, Mr. BERMAN, Mr. MERS of New York, Mr. NEAL of Massachusetts, Ms. McCOLLUM, and Mr. Title V, Section 515 of the Consolidated Appropriations Act, 2005, as enacted in Pub. L. 108–447, notification and implementation of the 2005 International Military Education and Training (IMET) program, as approved by the Department of State, requires revisions to the levels justified in the FY 2005 Congressional Budget Justification for Foreign Operations for the enclosed list of countries; jointly to the Committees on International Relations and Appropriations.

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GILLMOR, Mr. CROWLEY, Mr. FEENEY, Mr. CLAY, Mr. SHEARMAN, Mr. SCOTT of Georgia, Ms. HOOLEY, and Mr. TIERNEY:

H.R. 1296. A bill to authorize the Armed Forces and to make facilities of the Armed Forces available to officially sponsor units of the Boy Scouts of America; to improve mortgage servicing, to enhance appraisal standards and minimum standards for mortgage brokers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BURTON of Indiana (for himself, Mr. PALLONE, Mr. DUNCAN, Mr. TANCHERO, Mr. RYUN of Kansas, Mr. PLATTS, Mr. BAERLETT of Maryland, Mr. JOHNSON of Wisconsin, Mr. ANN DAVIS of Virginia, Mr. NADLER, Mr. JONES of North Carolina, and Mr. SANDERS):

H.R. 1297. A bill to amend the Federal Housing Administration Act with respect to the National Mortgage Insurance Fund; to the Committee on Energy and Commerce.

By Mr. CAMP:

H.R. 1298. A bill to amend title XVIII of the Social Security Act to improve the benefits under the Medicare Program for beneficiaries with kidney disease, and for other purposes; to the Committee on Energy and Commerce, 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 Mr. CARDOZA (for himself, Mr. DOOLITTLE, Mr. JONES of North Carolina, Ms. BACA, Mr. HERRER, Mr. RADANOVICH, Mr. COSTA, Mr. OTTER, Mr. CALVERT, Mr. PITTERSON of Pennsylvania, Mr. WALDEN of Oregon, Mr. SIMPSON, Mr. OSBORNE, Mr. REBERG, Mr. GANDER, Mr. BORDALLO, and Mr. GARY G. MILLER of California):

H.R. 1299. A bill to amend the Endangered Species Act of 1973 to reform the process for designating critical habitat under that Act; to the Committee on Resources.

By Mr. CONYERS (for himself, Mr. BRAY of Pennsylvania, Mrs. CHRISTENSEN, Mr. CLEBERN, Mr. FATTAH, Mr. FRANK of Massachusetts, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Mr. LEE of Georgia, Mr. MCKINLEY of Michigan, Ms. LEON, Mr. MECK of Florida, Mr. MEeks of New York, Ms. MILLINDER-McDONALD, Mr. MORAN of Virginia, Ms. NORTON of Rhode Island, Ms. RANZELL, Mr. RUSH, Ms. SCHAKOWSKY, Mr. TOWNS, Ms. WATERS, Mr. WATT, and Mr. WYDEN):

H.R. 1300. A bill to ensure the Federal voting rights of persons who have been released from incarceration; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 1301. A bill to amend the Federal Charter of the Boy Scouts of America in title 36, United States Code, to ratify the authority of the Secretary of Defense and military installations and units of the Armed Forces to officially sponsor units of the Boy Scouts of America, to allow the Armed Forces and to make facilities of the Department of Defense available for Boy Scout meetings and activities, such as national and world Boy Scout Jamborees; to the Committee on the Judiciary.

By Mr. DOGGETT (for himself, Mr. ALLEN, Mr. BERNARD, Mrs. CAPPS, Ms. CARSON, Mr. CASE, Mr. DAVIS of Illinois, Mr. DEFAZIO, Mr. DELAHUNT, Mr. DELAURIO, Mr. EDWARD, Mr. EVANS, Mr. FARR, Mr. FISHER, Mr. FRANK of Massachusetts, Mr. HASTINGS of Florida, Mr. HOLT, Mr. INSLER, Mr. JEFFERSON, Ms. KAPTUR, Mr. KUCINICH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. MALONEY, Mr. MARKSEY, Mrs. McCArTHY, Mr. MCDOmMOTT, Mr. MCDOmUry, Mr. MCGRATN, Mr. MCFARLAND, Mr. MCDERMOTT, Mr. MCCuRRERY, Mr. MCNEILLY, Mr. MERRILL of California, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. NUNES, Mr. ROYALD-ALLARD, Mr. RYAN of Ohio, Mr. SANDERS, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Ms. SOLIS, Mr. STARK, Mr. TIERNEY, Mrs. JONES of Ohio, Mr. UDALL of New Mexico, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 1302. A bill to amend the Internal Revenue Code of 1986 to require the disclosure of lobbying activities by certain organizations; to the Committee on Ways and Means.

By Mr. EMANUEL (for himself, Mr. BECKERA, Mr. LARSON of Connecticut, Mr. MCDOmMOTT, Mr. MEeks of New York, and Mr. ABERCROMBIE):

H.R. 1303. A bill to amend the Internal Revenue Code of 1986 to make permanent and refundable, and to expand, the credit for the elderly; to the Committee on Ways and Means.

By Mr. ENGLISH:

H.R. 1304. A bill to amend the Internal Revenue Code of 1986 to require the disclosure of lobbying activities by certain organizations; to the Committee on Ways and Means.

By Mr. GARRETT of New Jersey (for himself, Mr. FREELINGHUYSEN, and Mr. FERGUSON):

H.R. 1305. A bill to amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Resources.

By Ms. HOLDEN:

H.R. 1306. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level; to the Committee on Ways and Means.

By Ms. LEE (for herself, Mr. CONYERS, Mrs. MALONEY, Mr. SERRANO, Mr. TOWNS, Ms. WATSON, Mr. FRANK of Massachusetts, Mrs. CHRISTENSEN, and Mr. GUTIERREZ):

H.R. 1307. A bill to protect innocent elderly and disabled tenants in public housing and assisted housing under section 8 of the United States Housing Act of 1937 from eviction by reason of criminal activity; to the Committee on Financial Services.

By Ms. MALONEY (for herself, Mr. UDALL of New Mexico, Mr. SHAYS, Ms. CARSON, Mr. SANDERS, Mr. CASE, Mr. PHISHER, Mr. CUMMINGS, Mr. HONDA, Mr. BALDWIN, Ms. McCOLLUM of Minnesota, Mr. GEORGE MILLER of California, Mr. PALLONE, Mr. BARD, Mr. OWENS, Mr. GONZALEZ, Mrs. DAVIS of California, Mr. ISRAEL, Ms. WATSON, Ms. LEE, Mr. WEXLER, Mr. SCOTT of Virginia, and Mr. VAN HOLLEN):

H.R. 1308. A bill to amend the Intelligence Reform and Terrorism Prevention Act of 2004 with respect to the Privacy and Civil Liberties Oversight Board, and for other purposes; to the Committee on Government Reform, and in addition to the Committees on the Judiciary, Homeland Security, and Intelligence (Select).
H.R. 1311. A bill to provide for the construction and renovation of child care facilities, and for other purposes; to the Committee on Financial Services.

H.R. 1312. A bill to reauthorize the assault weapons ban, and for other purposes; to the Committee on the Judiciary.

By Mr. CAPRA (for himself, Mrs. JOHNSON of Connecticut, Mrs. KELLY, Mr. CANTOR, Mr. KINGSTON, Mr. BONILLA, Mrs. BONO, Mr. SHAYS, Mr. PERSY, Mr. PENNACCHIA, Mr. BURGESS, Mr. WALSH, Mr. BRADLEY of New Hampshire, Mr. NEUGEBAUER, Mr. GINGR, and Mr. SHADDOCK):

H.R. 1313. A bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers who provide such services to the Committee on Energy and Commerce.

By Mr. ORTIZ (for himself and Mr. JONES of North Carolina):

H.R. 1314. A bill to amend the Defense Base Closure and Realignment Act of 1990 to require the 2005 base closure and realignment process to adhere to certain requirements regarding the requirement of military dependent capabilities; to the Committee on Armed Services.

By Mr. OTTER (for himself, Mr. SIMPSON of Idaho, Mr. CANNON, and Mr. DOOLITTLE):

H.R. 1315. A bill to allow small public water systems to request an exemption from the requirement of primary drinking water regulation for a naturally occurring contaminant, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PENCE (for himself and Mr. WYNN):

H.R. 1316. A bill to amend the Federal Election Campaign Act of 1971 to repeal the limitations on the aggregate amount of campaign contributions that may be made by individuals during an election cycle, to repeal the limit on the amount of expenditures political parties may make on behalf of their candidates in general elections for Federal office, to allow State and local parties to make certain expenditures using nonfederal funds, to restore certain rights to exempt organizations under the Internal Revenue Code of 1986, and for other purposes; to the Committee on House Administration.

By Mr. FLATTS (for himself, Mr. BLUMENAUER, Mr. CUMMINGS, Mrs. BLACKBURN, Ms. WOOLSHY, Mr. PAUL, Mr. SHAYA, Mr. SCHAKOWSKY, Mr. BALDWIN, Mr. MCLNTY, Mr. BRHAN, Mr. STARK, Mr. VAN HOLEN, Ms. DEGETTE, Mr. MCCOLLUM of Minnesota, Mr. SIMONS, and Mr. LAHOOD):

H.R. 1317. A bill to amend title 5, United States Code, to clarify which disclosures of information and privacy provisions from prohibited personnel practices; to require a statement in nondisclosure policies, forms, and agreements to the effect that such policies, forms, and agreements are consistent with certain nondisclosure policies, forms, and agreements; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce.

By Mr. REEBGER:

H.R. 1318. A bill to allow the refurbishment and operation of a small hydroelectric facility in central Montana by adjusting the amount of charges to be paid to the United States under the Federal Power Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. REYES:

H.R. 1319. A bill to improve the health of residents of, and the environment in, the United States border area served by the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, Agriculture, Financial Services, Transportation and Infrastructure, International Relations, and Armed Services, for a period to be subsequently determined by the Speaker, for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REYES:

H.R. 1320. A bill to secure the borders of the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUPAK (for himself, Mr. FOSSELLA, Mr. ENGEL, Mrs. MCCARTHY of Massachusetts, Mr. NADLER, Mr. ACKERMAN, Mr. MCLNTY, Ms. BERKLEY, and Mr. GORDON):

H.R. 1321. A bill to establish a permanent grant program to improve public safety communications and the interoperability of emergency communications equipment; to the Committee on Energy and Commerce.

By Mr. SULLIVAN (for himself, Mr. LUCAS, and Mr. BOREN):

H.R. 1324. A bill to require the Secretary of Homeland Security to establish a U.S. Immigration and Customs Enforcement Office of Investigations field office in Tulsa, Oklahoma; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO:

H.R. 1325. A bill to amend the Immigration and Nationality Act relating to HI-B visas for temporary workers; to the Committee on the Judiciary.

By Mr. THOMPSON of California:

H.R. 1326. A bill to enable a Bureau of Reclamation partnership with the North Bay Water Reuse Authority and other regional partners to achieve water quality, and environmental restoration objectives; to the Committee on Resources.

By Mr. TIAHRT:

H.R. 1327. A bill to amend the Act entitled ‘‘An Act to provide for the construction of the Cheney division, Witchita Federal reclamation project, Kansas, and for other purposes’’ to authorize the Equus Beds Division of the Wichita Project; to the Committee on Resources.

By Mrs. MALONEY (for herself, Mr. LEACH, Mr. GUTIERREZ, Mr. TOWNS, Ms. SOLIS, Mr. NADLER, Mr. VAN HOLEN, Mr. HASTINGS of Florida, Mr. LEWIS of Georgia, Mr. CUMMINGS, Mr. SANDERS of Pennsylvania, Mr. CROWLEY, Mr. DEFAZIO, Mr. CASE, Mr. LANTOS, Mr. PRICE of North Carolina, Mr. GEORGE MILLER of California, Mr. DUNHAM of Maine, Mr. WOOLSEY, Mr. MENENDEZ, Mr. GINE GREEN of Texas, Mr. JACKSON of Illinois, Mr. ABERCROMBIE, Mrs. JONES of Ohio, Mr. HOLT, Mr. MCDERMOTT, Mr. CLAY, Mr. KOLIE, Mr. UDALL of New Mexico, Mr. BOWSER, Mr. SLAUGHTER, Mr. COONS, Mr. BASS, Mr. ROHDE, Mr. COOK of Illinois, Mr. LEWINS of Minnesota, Mr. LEE, Mr. BROWN of Ohio, Mr. COSTELLO, Mr. SABO, Mr. ROTHMAN, Ms. BALDWIN, Mr. CAPP, Mr. WOODS of Texas, Mr. OWENS, Mr. WU, Mr. DICKS, Ms. NORTON, Mr. WAXMAN, Ms. SCHAKOWSKY, Ms. LINDA T. SANCHEZ of California, Mr. SCHIF, Mr. EVANS, Mr. SMITH of Washington, Mr. SHIRMAN, Mr. PALLONE, Mr. MORA of Virginia, Mr. KUCINICH, Mr. KAN, Mr. HINCHY, Mr. MOORE of Kansas, Mr. KAPTUR, Mr. PAYNE, Mr. WEINER, Mr. PAASCHEL, Mr. CARDOZA, Mr. HARMAN, Mrs. MILLER, Mr. ROYBAL-ALLARD, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. BOYD, Mr. KILPATRICK of Michigan, Mr. DAVIS of Illinois, Mr. HALL, Mr. ANDREWS, Mr. STRICKLAND, Mr. JEFFERSON, Mr. OLIVE, Ms. HERSHETT, Mr. FRELINGHUYSEN, Ms. WATERS, Mr. TSAUCHER, Mr. CAPACO, Mr. COSTA, Mr. FELDER, Mr. DAVIS of Alabama, Mr. UDALL of Colorado, Mr. STARK, Ms. MILLER-McDONALD, Mr. PASTOR, Ms. ESCH, Mr. CONGRESS OF THE COMMONWEALTH OF FLORIDA, Mr. DOYL, Mrs. NAPOLITANO, Mr. KIRK, Mr. KIND, Mr. LEVIN, Mr. DELAHUNT, Mr. KILERE, Mr. THYEN of Minnesota, Mr. BALL of Massachusetts, Mr. MCGOVERN, Mr. THOMPSON of California, Mr. CONVERSE, Mr. VELAZQUEZ, Mr. WEXLER, Ms. WATERBURY, Mr. MURK, Mr. BACA, Mr. SHAYS, Mr. SERRANO, Ms. CHRISTENSEN, Mr. FATTAH, Mr. LAUGHLIN, Mr. MEEKS of New York, Mr. RUSH, Mr. BOREL, Mr. AL GREN of Texas, Ms. WASSERMAN SCHULTZ, Ms. HINOJOSA, Mr. KENNEDY of Rhode Island, Mr. BASS, Ms. MOORE of Wisconsin, Mr. MICHAUD, Mr. CASTLE, Mr. MCNULTY, Mr. CARNAHAN, Ms. ZOE LOFgren of California, Mr. INSELEE, Ms. FELSOI, Mr. BAHN, Mr. EMANUEL, Mr. GONZALEZ, Mr. HOYER, Mr. NEAL of Massachusetts, Mr. THOMPSON of Mississippi, Mr. ASHTON, Mr. BLUMENAUER, Mr. RANGEL, Mr. ISRAEL, Mr. BORDALLO, Mr. WYN, Mr. EDWARDS, Mr. ALLEN, Mr. BOUCHER, Mr. MILLY MORAN of Nevada, Mr. BEZERRA, Mr. HONDA, Mr. WATT, Mr. ACKERMAN, Mr. LARSON of Connecticut, Mr. BERKLEY, Mr. DAVIS of Florida, Mrs. LOWEY, Mr. ORTIZ, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LORETTA SANCHEZ of California, Ms. DEGETTE, Ms. MCKINNEY, Mr. ENOIR, Mr. SCHRADER, Mr. WATSON of Florida, Mr. PAYNE, Mr. JEFFERSON, Mr. STARK, Ms. CORINE BROWN of Florida, Mr. AL GREN of Texas, Mr. HUNT, Mr. KUCINICH of Ohio, Ms. MCKINNEY, Mr. BUTTERFIELD, and Mr. SERRANO):

H.J. Res. 51. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. LEE, Mr. PAYNE, Mr. JEFFERSON, Mr. TOWNS, Mr. COONS, Mr. HAVETE, Mr. RANGEL, Ms. NORTON, Mr. HONDA, Mr. MEKES of New York, Ms. CORINE BROWN of Florida, Mr. AL GREN of Texas, Mr. HUNT, Mr. KUCINICH of Ohio, Ms. MCKINNEY, Mr. BUTTERFIELD, and Mr. SERRANO):

H. Con. Res. 96. Concurrent resolution recognizing the significance of the role of American women in the United States scientific community; to the Committee on Science.
By Mrs. DAVIS of California (for herself, Mr. Issa, and Mr. Session):

H. Con. Res. 97. Concurrent resolution expressing the sense of the Congress that safe and effective drugs should be procured and stockpiled by the Federal Government as soon as possible; to the Committee on Energy and Commerce.

By Mr. HYDE (for himself, Mr. Lantos, Mr. Smith of New Jersey, Mr. Burton of Indiana, Ms. Ros-Lehtinen, Mr. Gonzalez, Mr. Flavchenko, Mr. H. J. Baraka, Mrs. Jo Ann Davis of Virginia, Mr. Pence, Mr. Mack, Mr. Wilson of South Carolina, and Mr. Rohrabacher):

H. Con. Res. 98. Concurrent resolution expressing the grave concern of Congress regarding the recent passage of the anti-seceSSION bill by the National People’s Congress of the People’s Republic of China; to the Committee on International Relations.

By Mr. PASCRELL (for himself, Mr. Platts, Mr. Abercorn, Mr. Andrews, Mr. Baird, Mr. Berry, Mr. Bilirakis, Ms. Bordallo, Mr. Boyd, Mr. Brady of Pennsylvania, Mr. Bryson of South Carolina, Mr. Capuano, Mrs. Carson, Mrs. Christensen, Mr. Clyburn, Mr. Cummings, Mr. Tom Davis of Virginia, Mr. DeFazio, Ms. DeLauro, Mr. Doyle, Mr. Ferguson, Mr. Fitzpatrick of Pennsylvania, Mr. Foley, Mr. Foxx, Mr. Fossella, Mr. Frelinghuysen, Mr. Garrett of New Jersey, Mr. Gingrey, Mr. Goode, Mr. Gene Green of Texas, Mr. Gejalya, Mr. Hines, Mr. Holden, Mr. Holt, Mr. Jefferson, Ms. Eddie Bernice Johnson of Texas, Ms. Kapua, Mr. Kennedy of Rhode Island, Mr. Kilbourn of Nebraska, Mr. Kilgore of Virginia, Ms. Langvin, Mr. Larson of Connecticut, Mr. LaTourette, Mr. Leach, Ms. Lee, Mr. LoBiondo, Mr. Markey, Mrs. McCarthy, Mr. McCollum of Minnesota, Mr. McCotter, Mr. McGovern, Mr. McNulty, Mr. Menendez, Mr. Miller of Florida, Mr. Moran of Virginia, Mr. Musto, Mrs. Myrick, Mr. Nadler, Mr. Neal of Massachusetts, Ms. Napolitano, Mr. Paynr, Mr. Peterson of Minnesota, Mr. Petri, Mr. Price of North Carolina, Mr. Putnam, Mr. Rahall, Mr. Rogers of Michigan, Ms. Ros-Lehtinen, Mr. Rogers of Texas, Mr. Rothman, Mr. Ruppersberger, Mr. Ryan of Ohio, Mr. Sanders, Mr. Saxton, Mr. Schex, Mr. Shays, Mr. Shuster, Ms. Slauter, Mr. Smith of New Jersey, Mr. Snyder, Mr. Spratt, Mr. Strickland, Mr. Taylor of Mississippi, Mr. Thompson of California, Mr. Tiahrt, Mr. Towns, Mr. Upton, Mr. Van Hollen, Mr. Walsh, Mr. Wamp, Ms. Waters, Mr. Watson, Mr. Watt, Mr. Welch, Mr. Wilson of Colorado, Mrs. Wilson of New Mexico, Mr. Wolf, Ms. Woolsey, and Mr. Wynne):

H. Con. Res. 99. Concurrent resolution expressing the need for enhanced public awareness of traumatic brain injury and support for the designation of a National Brain Injury Awareness Month to the Committee on Energy and Commerce.

By Ms. PELOSI:

H. Con. Res. 100. Resolution raising a question of the privileges of the House which was laid on the table.

By Mr. PUTNAM:

H. Con. Res. 101. Resolution providing for consideration of the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2006, and appropriating budgetary levels for fiscal years 2007 and 2008, forth appropriate budgetary levels for fiscal years 2007 and 2008; to the House Calendar and ordered to be printed.

By Mr. ANDREWS (for himself, Mrs. Maloney, Mr. Payne, Ms. Lee, Mr. Holt, Mr. Gejalya, Mr. Lantos, Ms. Woolsey, Mr. Owens, Mr. McNulty, Mr. Van Hollen, Ms. McKinney, Ms. Skakowski, and Mr. Cummings):

H. Con. Res. 102. Resolution requiring the House of Representatives to take any legislative action necessary to verify the ratification of the Equal Rights Amendment as part of the Constitution when the legislatures of an additional three States ratify the Equal Rights Amendment; to the Committee on the Judiciary.

By Mr. CONYERS:

H. Res. 155. Resolution condemning the House of Representatives to any legislative action necessary to verify the ratification of the Equal Rights Amendment as part of the Constitution when the legislatures of an additional three States ratify the Equal Rights Amendment; to the Committee on the Judiciary.

By Mr. TIERNEY:

H. Res. 156. Resolution condemning the conduct of Chief Minister Narendra Modi for inciting religious persecution and urging the United States to condemn all violations of religious freedom in India; to the Committee on International Relations.

By Mr. REHBERG:

H. Res. 157. Resolution congratulating the Montana Future Farmers of America on the occasion of its 75th anniversary and celebrating the achievements of Montana FFA members; to the Committee on Agriculture.

By Mr. TIERNEY:

H. Res. 158. Resolution recognizing the importance of increasing awareness of autism, supporting programs for increased research and improved treatment of autism, improving training and support for individuals with autism, and those who care for individuals with autism, and for other purposes; to the Committee on Energy and Commerce, and in addition, to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as may fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

10. The SPEAKER presented a memorial of the State of Ohio, relative to Senate Resolution No. 4623 stating the most expeditious and practical action necessary to verify the ratification of the Equal Rights Amendment as part of the Constitution when the legislatures of an additional three States ratify the Equal Rights Amendment; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions were referred to public bills and resolutions as follows:

H. R. 21: Mr. Edwards, Mr. Gutierrez, Mrs. Lowery, Mr. Payne, Mr. Smith of Washington, Mr. Stark, Mr. Thompson of Mississippi, Ms. Harris, Mr. Gehrke, and Mr. Bradley of New Hampshire.

H. R. 22: Mr. Inslee.

H. R. 25: Mr. Gingrey.

H. R. 41: Mr. Kucinich, Mr. Salazar, Mr. Clay, Mr. Butterfield, and Mr. Cleaver.

H. R. 97: Mr. Gutierrez, Ms. Carson, Ms. Woolsey, Mr. Calvey, and Mr. Wolf.

H. R. 114: Ms. Berkshire and Mr. Wolf.

H. R. 115: Mr. Sanders and Mr. Wolf.

H. R. 136: Mrs. Blackburn.

H. R. 147: Mr. Chabot, Mr. Cueliar, Mr. Pascrell, Mr. Boren, Mr. Herseth, Mr. Bartlett of Maryland, Mr. Ruppersberger, and Mr. Tierney.

H. R. 156: Mr. Bishop of Georgia and Mr. Stupak.

H. R. 181: Mr. King of Iowa.

H. R. 219: Mr. Miller of Florida.

H. R. 290: Mr. Shays.

H. R. 322: Mr. Pallone and Ms. Wasserman Schultz.

H. R. 331: Mr. Green of Wisconsin.

H. R. 341: Mr. Souder, Mr. Fitzpatrick of Pennsylvania, Mr. Platts, Mr. Simmons, and Mr. Boustany.

H. R. 363: Mr. Ruppersberger.

H. R. 414: Mr. Gordon and Mr. Moran of Kansas.

H. R. 415: Mr. Leach, Mr. Foley, and Mr. Paul.


H. R. 459: Mr. Gutierrez.

H. R. 475: Mr. Michaud, Ms. Berkley, Mr. Israel, and Ms. Woolsey.

H. R. 490: Ms. Munson.

H. R. 503: Ms. Schwartz of Pennsylvania, Mr. Serrano, Mr. Tom Davis of Virginia, Ms. Slauter, Ms. Berkley, and Mr. Nye.

H. R. 515: Mr. Gonzalez and Mr. Emanuel.

H. R. 525: Mr. Meeks of New York and Mr. Stearns.

H. R. 539: Mr. Tom Davis of Virginia.

H. R. 558: Mr. Wolf, Mr. Santoni, and Mr. Foley.


H. R. 581: Mr. Wolf and Ms. Zoe Lofgren of California.

H. R. 583: Ms. Velazquez, Mr. Cardin, Mr. Lynch, and Ms. Berkley.

H. R. 602: Ms. Berkley, Mr. Bradley of New Hampshire, Mr. Porter, and Mr. Gonzalez.

H. R. 615: Ms. Bordallo and Mr. Hastings of Florida.

H. R. 633: Mr. Wexler.

H. R. 682: Mr. Franks of Arizona and Mr. Bradley of New Hampshire.

H. R. 687: Mr. Israel and Mr. Sanders.

H. R. 697: Mr. Lewis of Georgia, Mr. Carmona, Mr. Hastings of Florida, Mr. Simmons, Mr. Dicks, and Mr. Sanders.
H.R. 739: Mr. Sullivan.
H.R. 740: Mr. Sullivan.
H.R. 741: Mr. Sullivan.
H.R. 742: Mr. Sullivan.
H.R. 749: Mr. Hastings of Florida, Mr. Hasting of Florida, and Mr. Pattman.
H.R. 791: Mr. Nadler, Ms. Carson, Mr. Frank of Massachusetts, Mr. Holden, Mr. Hasting of Florida, and Mr. Pattman.
H.R. 793: Mr. Hensley, Mr. Frank of Massachusetts, Mr. LaTourette, Mr. Castle, Mr. Tom Davis of Virginia, and Mr. Bonner.
H.R. 901: Mr. Hensley, Mr. Burton of Indiana, Mr. Dana, and Mr. Jenkins.
H.R. 1229: Mr. Duncan, Mr. Paul, and Mr. Jenkins.
H.R. 1245: Mr. Schiff, Mr. Frank of Massachusetts, Mr. Longino, Mr. Hastings of Florida, Mr. LoBiondo, Mr. Michaud, and Mr. George Miller of California.
H.R. 1249: Mr. Bass, Mr. Bradley of New Hampshire, Mr. Saxton, and Mr. Ruppersberger.
H.R. 1252: Mr. Lewis of Georgia and Mr. Weld of Pennsylvania.
H.R. 1257: Mr. Hall, Mr. Nunns, Mr. Boozman, Mrs. Bono, Mr. Bilirakis, Ms. Harker, and Mr. Hunter.
H.R. 1261: Mr. Kuhl of New York and Mr. Allen.
H.J. Res. 10: Mr. Walden of Oregon, Mr. Rehberg, and Mr. Berkeley.
H.J. Res. 23: Mr. Udall of New Mexico.
H. Con. Res. 71: Mr. Butterfield, Ms. Solis, Mrs. McCarthy, Ms. McKinney, and Mr. Shimkus.
H. Res. 76: Mrs. Myrick and Mr. Burgess.
H. Con. Res. 80: Mr. Lewis of Georgia and Mr. Gutiérrez.
H. Con. Res. 86: Mr. Clay, Mrs. Maloney, Mr. McNulty, Mr. Lipinski, Mr. King of New York, Mr. Michaud, Mr. Holt, and Mr. Radanovich.
H. Res. 84: Ms. Granger and Mr. King of Iowa.
H. Res. 98: Mr. Dingell.
H. Res. 131: Mr. Sanders, Mr. Costa, Mr. Costello, Mr. Cooper, Mr. Napolitano, Mr. Nadler, Mr. Mill of Florida, Ms. Norton, Mr. Cuellar, Mr. Inslee, Mr. Hefley, and Mr. Obey.
H. Res. 136: Mr. Inslee, Ms. Woolsey, Mr. Lowey, and Mr. Sanders.
H. Res. 146: Mr. Jones of North Carolina, Mr. Alexander, and Mr. Pitts.
H. Res. 148: Ms. Hagan, Mr. Kanjorski, Mrs. Phycy of Ohio, Mr. Baker, Ms. Corrine Brown of Florida, Mr. Bucsh, Mr. Ford, Mrs. McCarthy, Mr. Cooper, Ms. Lee, Mr. Lewis of Georgia, Mr. Rusch, Mr. Gutiérrez, Ms. Owens, Mr. Scott of Georgia, Mrs. Davis of California, Mr. Frank of Massachusetts, Mr. Hachts, Ms. Moogie of Wisconsin, Ms. Caron, Mr. Kennedy of Minnesota, Mr. Platts, Mr. Borelli, Mr. Shays, Mr. Garrett of New Jersey, Mr.发行人, Mr. Thierie, Mr. Lucas, Ms. McNerney, Mrs. Johnson of Connecticut, Mr. Ramirez, Mr. Daniel E. Lungren of California, Mr. Reichert, Mr. McHenry, Mr. Hastert, Mr. Johnson of Illinois, Mr. Weller, Mr. Ike, Mr. Cole of Oklahoma, Mrs. Kiley, Ms. Loretta Sanchez of California, Mr. Ney, Mr. Cleaver, Mr. Oertel, Ms. Maloney, Mr. Pomroy, Mr. Sanders, Mr. Ross, Mr. Green of Wisconsin, Mr. Meeks of New York, Mr. Oxley, Mr. English of Pennsylvania, Ms. Wasserman Schultz, Mr. Watt, Mr. Moore of Arkansas, Mr. Clay, Mr. Crowing, Mr. Hooley, Mr. Gunknicht, Mr. Ehlers, Mr. Dent, Mr. Bonner, Mr. Gilchrist, Mr. Forbes, Mr. Castle, Mr. Gillmor, Mr. Jones of North Carolina, Mr. Bensarl, Mr. Bonner, and Mr. Tom Davis of Virginia.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows.

H.R. 21: Mr. Menendez.
Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN THUNE, a Senator from the State of South Dakota.

PRAYER

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

Let us pray.

O God our fortress, bless this Nation that each citizen will strive to live for Your glory. We pray in Your wonderful knowledge that in everything You are working for the good of those who love You and are called according to Your purposes.

O God our fortress, bless this Nation that each citizen will strive to live for Your glory. We pray in Your wonderful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable John Thune led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 15, 2005,
To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable John Thune, a Senator from the State of South Dakota, to perform the duties of the Chair.

Ted Stevens,
President pro tempore.

Mr. THUNE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority whip is recognized.

SCHEDULE

Mr. McCONNELL. Mr. President, this morning we will begin immediately to resume consideration of the budget resolution. There are now a little more than 32 hours remaining out of the statutory limit of 50 hours. The chairman and ranking member were on the floor all day yesterday to begin the amendment process, and we expect to have many amendments considered today with votes well into this evening. Once we get underway this morning, we will alert Senators as to the timing of the first votes. We have already alerted Senators that this will be an extremely busy week. We will complete the budget resolution this week for sure. That will require lengthy sessions into each evening as we progress through the week. We will expedite progress on the bill if Senators will cooperate by keeping their schedules flexible and staying close to the floor throughout the day. Again, it is crucial that Senators should arrive at the floor quickly, as votes are ordered, to avoid missing any important budget votes.

Mr. President, I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

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

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR THE FISCAL YEAR 2006

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. Con. Res. 18, which the clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 18) setting forth the congressional budget for the United States Government for the fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the time on the budget be equally divided between the majority and minority.

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

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. CONRAD. Mr. President, I yield 20 minutes off the resolution to the Senator from Montana.
The ACTING PRESIDENT pro tempore. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I thank my good friend from North Dakota and also say that I hope we can make some good headway out of this budget resolution. It is not the first time we have had a budget resolution, but I hope we can show that we are exercising leadership in getting one that makes sense.

I rise to speak about something that I hear more about at home than any other issue I have ever faced. It is that great.

Let me tell a little about what I think Montanans are really thinking. Here is what Montanans are telling me about Social Security.

A man from Helena, MT, put it this way:

I have been an employee and employer for 55 years. The Social Security system is the only solid, dependable program that I and everyone I have been involved with can rely on.

Laura from Baker, MT, says:

It seems to me that our Social Security system has worked well for many, many years. I cannot understand the President's desire to reform it.

Well, when it comes to trying to understand why the President wants to privatize Social Security, Laura is not alone. Let me talk a little bit about the President's plan to privatize Social Security and what it would mean in practical terms.

The first thing we have to do is to put aside the notion that privatizing Social Security has anything to do with strengthening Social Security and preserving Social Security for the long run. It does not. Privatization has nothing to do with preserving Social Security for the long run—nothing.

In fact, it undermines Social Security. Social Security's actuaries—these are the Congressional Budget Office folks, and we all agree they are totally nonpartisan, straight shooters—agree that privatizing Social Security does not improve the solvency of the Social Security. In fact, they believe it makes it worse.

Bobby from Eureka, MT, put it this way:

I strongly oppose President George Bush's proposal to privatize Social Security or any part of it. I feel this is only the first step to dismantling Social Security all together.

She is concerned about the first step to dismantle Social Security, and there is a way to do it. I agree that the private accounts have nothing to do with solvency. Many of us are wondering whether Bobby might be right.

We have to start with the proposition that President Bush is looking somewhere else besides private accounts for the real answer to extending Social Security solvency. To be candid, none of us know exactly how the President wants to extend Social Security solvency.

He hasn't given us a specific proposal. In the State of the Union speech, however, he mentioned five possibilities. What are they? One was limiting benefits for future beneficiaries. Another one he mentioned is indexing benefits to prices rather than to wages. He also mentioned increasing retirement age.

Further, he mentioned discouraging early collection of Social Security benefits. Five, changing the way benefits are calculated. All of those options the President has mentioned have one thing in common: they all cut benefits.

Even if we do not know for sure how the President wants to cut Social Security benefits, the administration has not been all that subtle about their druthers. For months, President Bush and many in the administration hinted that their preference is one of the plans put forward by the President's Commission on Social Security. The Senator from Montana mentioned earlier what is that? That plan would divert Social Security payroll taxes into new private savings accounts. As I said, that has nothing to do with solvency. I will come back to that later. But that plan would replace Social Security benefits for future beneficiaries by changing the way the benefits are calculated. The President's plan would cut benefits, in the President's words, by indexing benefits to prices rather than to wages. What does that mean? What is the effect of that? Let me explain.

Under current law, when the Government calculates a worker's initial Social Security benefit, the Government adjusts the worker's past earnings for the growth in the economy. Under the President's plan, the Government would adjust the worker's past earnings for the growth in prices, not in wages but in prices. What is the effect of that? Most people don't realize it, but wages actually grow faster than prices. Wages actually grow faster in the long run. People see prices rising all the time, but folks do not always focus on how much their wages increase. Wages generally keep up and surpass the increase of prices. On average, workers today produce more than workers used to be. Workers today produce more than workers did years ago. Economists call that productivity. They say it is more productive, so workers today demand higher wages. They are more productive, so they have higher wages, even after adjusting for inflation. Even though inflation goes up, workers are more productive, so wages rise faster than inflation, even after adjusting for inflation. By adjusting the initial benefits to a growth in wages makes sense. It is current law. It makes sure Social Security will replace roughly the same share of future retirement incomes as it did for previous generations of retirees.

What does the Commission plan to do about that? Their plan to move from wage indexing to a price index means that average benefits for the future would gradually start to get smaller and smaller than they would under current law. Because these reductions in benefits would accumulate over time, each new group of retirees would get more of a cut in their benefits relative to what the current law promises them.

This chart shows the story. It is very illustrative. I hope people pay attention to this. I daresay that every American concerned about Social Security would take a good long hard look at this chart and they would realize the deeper problems in the President's proposal. This chart shows under current law—talking about what the law is today—succeeding generations of recipients can expect to replace a relatively constant amount of their income. This yellow line shows for people who start to retire today—when they retire, their Social Security benefits are going to be about 40 percent of their previous wages. As wages go up over time and people retire, they get above 40 percent of their wages just before they retire. That is called replacement income. That is the law, and it stays at about 40 percent out into the future.

On average, Social Security promises to replace about 40 percent of income year after year, represented by the yellow line. If we adopt the Commission's plan, what happens? That means the share of income Social Security replaced would go down. That is the red line here. So over time these cuts become very deep. For workers now in their mid-thirties, benefits will be cut by about 25 percent. For somebody coming into the workforce now, their grandchildren—benefits will be cut in half. You see this red line comes about half of where the yellow line is. So somebody who enters the workforce about now, under the President's plan, when he or she retires, is going to receive almost 20 percent of wages, not 40 percent. That is a 50-percent cut. So a person would get much less under the President's plan in the future.

I am looking at some of these pages on the floor. When they work, and if this plan goes into effect, their Social Security benefits will be half when they retire compared to what it would be today under current law if they could retire. I don't know if they would want that.

If the Commission's plan had been in place when Social Security began to pay benefits in 1940—reverse that. Say the President's plan was in effect then; benefits for average earnings would be 60 percent less than today. If the President had been in effect in 1940—I was born in 1941—then the benefits I would receive today, or anybody my age, would be, under the President's
President

That is bad, but that is a fact. If the elderly are living in poverty. That is not good. Today. About 3.6 million seniors living in poverty in 1940, then 10.5 million seniors would be living in poverty. Had the Commission kind of cut in benefits would mean that now, a lot less than they receive. That is the interest that those contributions would have earned had they earned a 3-percent rate of return above inflation. Some people call it a “clawback.” I call it a privatization tax.

This next chart, number 4, shows the story. It shows a case of a typical worker born in 1990. So a person born in 1990 retires in 2055. I suppose that would probably apply to a lot of our House colleagues who are about 65 now. That would probably apply to a lot of our younger people. Under current law, that person would get $23,300 each year from Social Security. So under current law, someone who is born in 1990 and retires in 2055, at age 65, that person get $23,300 in benefits from Social Security.

Let’s talk about the cuts. The first cut under the President’s plan is in benefits, due to changing from wage indexing to price indexing, as I mentioned. That is the effect of that. That would cut a worker’s Social Security payments to $13,104 a year. That change alone—cutting all benefits of all retirees under the President’s plan by moving from wage indexing to price indexing—means the benefits that person will receive in 2055, born in 1990, would not be $23,000, but a whole whopping roughly $10,000 a year less, a cut down to $13,000 a year.

Then there is a second cut. That is the cut from the privatization tax. That would cut a worker’s Social Security benefits further. How much further? Down to a mere $3,276 a year. Just think of this for a minute; suspend judgment and let this sink in. This is what is happening under the President’s plan. Today, that person would get $23,000 in Social Security benefits. The first cut applies to everybody in the President’s plan irrespective of whether you have a private account. So you participate in private accounts. That may not seem fair, but that is a fact. These are the cuts you get irrespective of whether you participate in a private account. It makes no difference whether you do or do not participate in a private account.

Another question people might ask is, Will these cuts apply to people with disabilities, to survivors? To be candid, none of us knows for sure, but the Commission shows that savings of people with disabilities and survivors were included. That means they are going to get cut, too. We are talking about widows or orphans here. Listen to the words of Linda from Great Falls, MT:

My father died when I was 13 years old. My mom went to work as a bookkeeper making a little over $200 a month. Our entire lives changed, and without the assistance of Social Security benefits, I would never have been able to attend college.

Social Security is a vital lifeline for millions of Americans. We have to be very careful about how we change it. In addition to the cuts about which I have been talking so far, the President has a plan. It includes a second set of cuts; that is, a second set of cuts for anybody who signs up for the privatized accounts. Remember, I talked about the first round of cuts and benefits. There is a second round.

Under the plan, when workers retire, the Social Security benefits would be further reduced by, first, all of the contributions to the worker’s private account. That cuts into an additional reduction in benefits. Then there is an other reduction, and what is that? That is the cut due to the privatization tax. I call it a privatization tax.

So I explained all this to him. He was amazed. He did not know all that. I take him at his word. He said most of the other side did not understand it. Maybe he was being very generous and actually they did. But I was startled by this conversation. He said most do not understand it.

Second, it was a revelation to him when I explained what it actually does. I mention all this because I think it is important for the facts to get out. I do not want to be pedantic about it. I explained what it does, what the practical effect of all this is? I do not want to be pedantic about it.

He said: Sure; what is it? I explained all this to him. He was amazed. He did not know all that. I take him at his word. He said most of the other side did not understand it. Maybe he was being very generous and actually they did. But I was startled by this conversation. He said most do not understand it.

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Mr. BAUCUS. Mr. President, I thank the Senator. Do you mind if I explain what it does, what the practical effect of all this is? I do not want to be pedantic about it.

Mr. CONRAD. I yield another 5 minutes to the Senator.

Mr. BAUCUS. Mr. President, I thank the Senator. Do you mind if I explain what it does, what the practical effect of all this is? I do not want to be pedantic about it.

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Mr. BAUCUS. Mr. President, I thank the Senator. Do you mind if I explain what it does, what the practical effect of all this is? I do not want to be pedantic about it.

Mr. CONRAD. I yield another 5 minutes to the Senator.

The PRESIDING OFFICER. Mr. VITTER. The Senator has used his allotted 20 minutes.

Mr. BAUCUS. If I may have a few more minutes, I would appreciate it.

Mr. CONRAD. I yield another 5 minutes to the Senator.

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

Mr. BAUCUS. Mr. President, I thank the Senator.

I repeat, workers 25 to 35 years old will have total retirement income; that is, Social Security benefit cuts, plus their income from the private accounts—that is income, not the principal—will be reduced by 3 percent—cut by about a quarter below what current law promises. Those with average earnings born in this decade who retire at age 65 will have their total retirement income cut in half—again, their total retirement income cut in half. For those who participate in private accounts, their total income will be cut in half. That is all based on CBO’s assumption that the private account will
We do not know how much the rate of return is going to be. That is why it is red with a question mark. It could go up; it could go down. It has to be a high level annual rate of return to equal, frankly, what one would get in total benefits, even after the cuts. As I said, this chart puts it together. That is why the President’s privatization plan does not make any sense. From the perspective of typical beneficiaries, it would leave them worse off than if we did nothing. Worse off than if we did not even sink in a little bit. The President’s plan would leave people worse off compared to if we did nothing, at least over the next 40 to 50 years, through 2052. That is roughly the next 60 years—worse off. That is before we take into account the $5 trillion in new borrowing that the President’s plan requires in its first 20 years. I did not talk about that.

Let me summarize. We have demonstrated conclusively why people would be worse off under the President’s plan than they would be under current law. Now we add another huge problem with the President’s plan. What is that? That is the $5 trillion of new borrowing the President’s plan would require in its first 20 years; $5 trillion of additional borrowing. We are already deeply in debt. Jack from Kalispell, MT, wrote me of his suspicion on this:

President Bush is proposing a gimmick to take attention away from plans to reduce future benefits. We, as federal taxpayers, must ensure that the Government should solve its own solvency problems and either stop borrowing from the Social Security trust fund or actually pay back the money we have borrowed. Jack may have a point. The private accounts are a gimmick, and the benefit cuts are bad enough that anyone associated with them might want to divert their attention away from them.

The reason why the cuts are so deep is because the Commission’s plan would place all the burdens of securing solvency on benefit cuts—all of the burden of solvency on benefit cuts, all of it, all. Within benefits cuts, the Commission’s plan would place all the burdens of securing solvency on today’s young people and future beneficiaries. He is passing the buck. First he says, OK, all of the solvency solution is on the back of the beneficiaries in terms of benefit cuts. And the $5 trillion, who is going to pay for that? That is going to be young people in future generations, future taxpayers. They are going to have to pay back that $5 trillion. That is the effect of switching from wage indexing to price indexing, and I do not think that is fair.

Look at this chart again. The President’s plan would change Social Security from a guaranteed $23,300 in earned benefit to a guaranteed $3,000—23 down to 3, plus a gamble. That is a benefit you would get from the President at some time—let that guaranteed $3,000 go, and you are guaranteed a gamble. It may pay off and be big. The gamble may not pay off. You may lose your shirt. No wonder people wonder whether the President’s plan is more about, as Bobby from Eureka, MT, put it, “only the first step to dismantling Social Security altogether.” She is concerned about that. When you look at the effect of the President’s plan, you begin to think that maybe Bobby is on to something here.

That is why Democrats have called upon the President to disavow his plan for private accounts funded out of Social Security. We do so, why? Because we want to make sure these private accounts are not, in Bobby’s words, “the first step to dismantling Social Security altogether.” Democrats want to address Social Security’s solvency. You bet we do. There is a problem here. It is not a crisis. It is a problem we should address now rather than later. We want to strengthen and protect Social Security for the future. We do think there is a problem. We do think it is a problem, a reinsurance that the changes we agree to will strengthen Social Security, not dismantle it. The President needs to disavow privatizing Social Security. That is a necessary first step. He needs to state he does not want to dismantle Social Security and has to do that before we can agree on how to fix it. If he makes that statement, boy, you bet there would be a big rush in the Congress, on both sides of the aisle, to fix the solvency problem in Social Security.

That is the problem Americans worry about, solvency of Social Security. That is their concern, so let’s address their concern.

Mary from Belgrade, MT, summed it up pretty well. She wrote:

The American Social Security system is one of the most cost-effective pension plans ever devised. It costs a pittance to administer, it is thoroughly honest, and it works flawlessly. “Privatizing” it will almost certainly ruin it.

Privatizing will almost certainly ruin it. It would add hugely to the crushing burden of national debt, it would mean smaller retirement pensions for millions of retiring Americans, and it would cost 20 to 30 times more to administer. Congress has a duty to the American people to protect this popular, inexpensive, highly effective program. I implore you, Senator Baucus, to tell the President you oppose privatization, and to legislate only a plan that will fix long-term problems without changing the basic structure and function of our Social Security system.

Nobody could have said it better. Mary knows what is going on here. She figured it out. I think a lot of Americans are also beginning to figure it out. And when more figure it out, we have no choice but to address solvency and take privatization totally off the table.

Mr. President, you can help us a lot if you were to make that statement. Mary has it right. We need to get beyond plans to privatize Social Security. And once we do, we can get about the business of “fix[ing its] long-term problems” and securing it for generations to come.
That is why I will support the amendment by the senior Senator from Florida, Mr. Nelson.

The PRESIDING OFFICER. The Senator has consumed his additional time.

Mr. BAUCUS. If I might have 1 more minute.

Mr. CONRAD. I yield an additional minute off the resolution to the Senator.

Mr. BAUCUS. Mr. President, that is why the senior Senator from Florida, Mr. Nelson, is going to offer an amendment on Social Security later this week. It is why I urge my colleagues to support it. We want to keep Social Security, in the words of that man from Helena, as “the only solid, dependable program that we can rely on.” They want to keep it. They should keep it. We want to keep it. It is “the only solid, dependable program” seniors can rely on.

We want to keep it, in the words of Lautrec from Baker, MT, a “system [that] hold[s] for many, many years.” And we want to keep a system that can work well for “many, many years to come.”

I very much thank my good friend from North Dakota. I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I yield myself 25 minutes.

I rise in support of the budget resolution that is before the Senate, and I support the leadership of the Appropriations Committee. He has shown tremendous leadership on a very tough issue.

This budget is about the future. It is about our children and our grandchildren, as is Social Security. I was pleased to hear the Senator from Montana admit we do have a problem with Social Security. We have some Members who apparently do not think there is a problem with Social Security. I would like to go back to Social Security per term, at least.

We have before us a budget resolution. We have to keep in mind that this budget resolution is about numbers. We are not getting into the specifics of the program, even though we are going to see a lot of amendments on the floor today that are going to be dealing with specifics of the program. In reality, this is about numbers. It is about the top numbers and how the numbers are allocated among the various committees and how those dollars are going to be spent will rest, in some cases, with an authorization committee, or it may rest with the Appropriations Committee.

If we look back historically at the budget, particularly in the last few years, the growth of the budget, as reflected in the budget resolution, has been greater than what the growth of the economy has been. This budget is an attempt to reduce the rate of growth.

There are some people who are going to try to characterize that as cuts, but if we look at the total figures in the budget, what we are doing is reducing the rate of growth. Even if we look at what we have done to reduce the rate of growth in entitlements, which has covered so much of the discussion throughout the budget debate, the growth in entitlements is greater than the growth in the economy.

So we are not about reducing the rate of growth. I believe this resolution represents a courageous balancing act in trying to bring some sanity to the budgeting process, some fiscal responsibility.

We are funding our social and military priorities. The total discretionary budget authority for 2006 is $834.4 billion. Most of that is defense spending. We have about $438 billion, or something like that, that is set aside for discretionary spending in that area.

The resolution is consistent with the President’s request, plus a generous increase for some educational programs, particularly Pell grants.

The resolution assumes full funding of the President’s defense request, which is supporting our global war on terrorism, restructuring our U.S. forces, which I believe is badly needed, future threats, and raising the quality of life for our men and women in uniform.

I fully support the President’s call for budget discipline and for making some tough decisions that have to be made when we are allocating these dollars, and they do have an impact.

The resolution funds important existing commitments—certainly the reconstruction effort in Iraq—and many other efforts throughout the nation.

I rise in support of the budget resolution. We have the same thing with many of our other entitlement programs. This budget begins to set discretionary budgets for 2006, 2007, and 2008, which is something that is enforced with the 60-vote point of order. It is a way of expecting a higher threshold if you want to increase spending to try to mortgage the future of our children and grandchildren, then we are going to require a higher threshold in this Congress to be able to do that, which means the issue has to be that much more important in the minds of Senators and the Congress.

We establish points of order against new direct spending totaling $5 billion in any of the next four 10-year periods.

The resolution continues sensible mechanisms for nondefense spending, advance appropriations, and pay-go, and it contains recommendations for a review of Federal agencies and their performance to eliminate or reduce wasteful, duplicative, inefficient, outdated, or failed programs. This idea in particular represents a growing sentiment within the body. I believe it represents a growing sentiment that we are seeing throughout the Nation. We have seen some efforts to try to restrain spending in high priorities areas in this Congress, such as defense. We are preparing to go through the BRAC process where we are looking closely at defense installations to see if they still meet the mission of the military. We need to have a similar type of scrutiny in the nondefense programs, to see if they continue to meet the mission the Congress intended of them when they first passed the legislation. That is being provided for through the Government and Results Act, which measures how agencies do. The President has taken this and modified it to prevail as sort of a detailed roadmap through what he calls his PART ratings, which is a roadmap I think Congress should pay more attention to.

So he is looking at some accountability within the agencies. Again, we are not talking about anything more than just a reduction in the rate of spending as far as the total budget is concerned.

This budget represents a landmark attempt to do something about entitlement spending. The first attempt was 19 years ago when there was an attempt to rein in entitlement spending in a budget resolution. So it has been awhile since we have looked at these. In the meantime these programs have been growing and have been spending more than what has been happening in the growth rate of our economy. Over time we are going to pay for it. It is going to be our children and grandchildren.

The resolution includes instructions to produce mandatory savings of $32 billion over 5 years. This is a very important provision that is being wildly
exaggerated. We have to keep in mind that mandatory spending is two-thirds of our total budget. The total budget is running at $2.5 trillion. Figure it out. We are only talking about $32 billion over 5 years. If you want to change it out, it is only over $6 billion out of this 1 year’s budget of over $2.5 trillion. So many of these provisions I think are being wildly exaggerated. Mandatory spending would still increase from $1.5 trillion in 2010 to more than $2 trillion in 2010. That is a growth of $500 billion in 5 years.

So even though we are cutting back on the rate of spending growth, it is still increasing every year, and it is still increasing at a rate of $500 billion over a 5-year period of time. Some people in this body say that is too many cuts, but I look at these figures and I wonder who they are kidding.

The doomsday cuts in this resolution barely moderate the stratospheric growth of these programs. Many people agree that entitlement spending is swallowing the budget and we must look seriously at our long-term fiscal health. The Federal Government consumes just under 20 percent of the total economy, and entitlements promise to grow and consume a larger and larger portion of this sizable chunk of our gross domestic product. The Congressional Budget Office, for example, estimates 65 percent of Federal spending by 2015. We had testimony in the Budget Committee from the Congressional Budget Office which said these were not sustainable—a personal view. I have to agree, when you look at 65 percent of Federal resources by 2015 as far as entitlement growth is concerned, that is a serious problem, and this Congress needs to face it up to.

Despite the unanimous agreement that we must do something about it before our grandkids have to bear our policy burdens, I hear nothing from the other side except more money, more and more and more. I don’t hear any suggestions on what their budget proposal is. They want to raise taxes, they want to increase spending. That is the only plan we get out of the other side.

In some ways there is an analogy on Social Security. The other side is continuing to criticize Social Security, but they don’t—and some of them, like Senator Kennedy, have to hear our policy burdens. I hear nothing from the other side except more money, more and more and more. I don’t hear any suggestions on what their budget proposal is. They want to raise taxes, they want to increase spending. That is the only plan we get out of the other side.

Last week’s markup I thought was very revealing. We had numerous amendments for additional spending in the Budget Committee and the House of an alternative budget they said through amendments. That is how they were going to make their budget heard.

It is easy to pick out a budget through amendments, but I would like to see a total budget plan presented by the other side if this budget is so bad. But nothing has materialized except more spending and the reductions of the tax cuts. It is very revealing. We had the courage to step forward with a total budget and to make tough choices. We were challenged by the majority, by the Democrats in the House at the time I served on the Budget Committee, to come up with our own budget, and we said, yes, in fairness of debate, we ought to have one. So we did put forward a budget, a total budget about where we wanted to see the country be in 5 years, even in 10 years, and we compared that with the majority, the Democratic House side during those early years, and as a result of that, I think we established some credibility.

My challenge to the other side is, you need to come up with your budget. You need to do the same thing that the Towne family did put forward a budget, a total budget for political reasons or because we need to come up with your budget. You need to do the same thing that the Towne family did put forward a budget, a total budget and we said, yes, in fairness of debate, we ought to have one. So we did put forward a budget, a total budget about where we wanted to see the country be in 5 years, even in 10 years, and we compared that with the majority, the Democratic House side during those early years, and as a result of that, I think we established some credibility.

This resolution makes a minor adjustment to the explosive growth of Medicaid. You would think the sky was falling, and here is the percent of adjustment—0.07 percent of Medicaid over 5 years. That is a reduction. It appears to me that the only option that would be given from the other side is a tax increase without smothering growth and solving the underlying problems. The Budget Committee testimony by the Comptroller General of the GAO revealed estimates that our Nation’s unfunded promises over the next 75 years are $44 trillion. In the entire history of the Federal Government we have raised a total of only $38 trillion in revenue. That is astounding testimony. We cannot wish this away. We cannot rely solely on economic growth. And we cannot tax our kids and grandkids into oblivion. There is an unlimited mandatory spending problem. An alternative mandatory spending budget, an autopilot, rarely undergoing the kind of examination we give to the issue of steroids in Major League Baseball, for example. And this is much more important.

The resolution offers a very good start. If someone has a better plan, again, not just a series of constant amendments but a budget, we will be here to discuss it.

Provisions to protect the taxpayer and promote growth are in this budget. The resolution includes assumptions focusing on preventing economically damaging tax increases. The President’s tax cuts, which were passed by this Congress, have helped the economy grow. They have increased revenues, and not only to the Federal Government. We can see that happening in our States. In my State of Colorado we are beginning to see a change in revenues.

Provisions of the Jobs and Growth Tax Relief Package Reconciliation of 2003 are set to expire after tax year 2008. We need to address that.

The budget assumes we will continue the tax cuts that stimulate the economic development that ended our Nation’s short recession. Without this budget, capital gains taxes would jump from 15 percent to 20 percent. If there is one tax reduction out there that has been an incentive which stimulated the economic growth, it has been capital gains. We saw that happen during the Kennedy administration. That is one of the tax cuts President Kennedy advocated when he was in office to stimulate revenues in the Federal Government.

We have seen that during the Reagan administration. I have seen it happen in the State of Colorado. When we had capital gains adjustments, we saw the revenues improve, as far as State revenues. We have seen it happen again. When we dropped capital gains rates, we saw the tremendous impact it had on the economy which resulted in more revenues to the Federal Government.

Without this budget, taxes on individual income would jump from 15 percent to as much as 35 percent. Incentives for small business owners to invest would be set to expire in 2007. Without this budget, it would dry up.

Not extending these tax cuts is like declaring economic war on small businesses and investment.

One of the important things we did was focus on small business. That is where most of our economic growth is. We helped them write off more on their expenses. There was a dramatic increase in what we allowed them to write off.

The President’s tax cuts, which were passed by this Congress, have helped the economy grow. They have increased revenues, and not only to the Federal Government. We can see that happening in our States. In my State of Colorado we are beginning to see a change in revenues.
In my view, small business is the key to our economic growth. Reconciliation instructions in this budget direct the Finance Committee to produce more tax relief—$70.2 billion over 5 years. That means more economic development, more investment, more savings.

We do not tell them how they are going to meet these things, but we put the dollars in there and we direct them in that direction. Personally, as many colleagues, I would endorse a larger number of tax relief provisions because I believe it is more money in the hands of business owners, more money in the hands of consumers, more money in the hands of parents and investors. It stimulates greater growth, education, savings—prosperity at every economic level. Not surprisingly, it will likely increase revenues to State and Federal Governments.

The $70.2 billion is a compromise number. We have already worked on it. Many of us have liked what we have seen over $100 billion. We thought that would be more appropriate to keep our economy growing. But working with the Members of the Senate, the budget chairman, to his credit, has come up with a reasonable number. It is a number I can support, which is a little over $70 billion, holding down the tax burden.

The budget promotes fiscal health and economic development. It holds down the rate of growth in spending and protects the most important national funding priorities we have. It extends expiring tax cuts and reconciles tax cuts that have a known stimulative effect. This budget provides new disciplinary tools for spending restraint. It leads to overall deficit and thus debt reduction.

The mark will cut the deficit in half in 5 years, relative to the size of the economy. Under this resolution, the deficit is $70.2 billion over 5 years. That is 2.2 percent of gross domestic product in 2007; then, if we move on to 2010, reduce it down to 1.3 percent.

Our annual deficits compound our existing debt burden and, long term, there is no greater threat to Social Security, Medicare, and Medicaid, education—and the taxpayer—or other priorities, than the swelling of the public debt. It is something we must begin to address. I think this budget begins to address it in a serious way.

Several years ago I offered the American Debt Repayment Act. It was a suggestion to the Members of Congress that we ought to look at our national debt the way we would the mortgage on our home. We ought to put a plan in place a commitment to begin to pay down that debt.

This budget we have before us attempts to put in place a plan that will aid us in getting us out of the deficit, in a position where we can begin to pay down our national debt. It is clear if we leave it to the designs of Congress on the floor, things get out of hand and more spending happens. But if we have a plan on how we are going to pay down the debt, it gives some parameters. This budget provides somewhat of a plan. Congress repeatedly shirks its responsibility when it comes to the debt.

I commend the chairman for doing something in a serious way to deal with our deficit and the debt. Maybe it is time for me to reintroduce the legislation to tie our undisciplined hands. This resolution before us represents a good start, as I said, in restoring such discipline.

There is one other thing. We have had some comments here about Social Security and I think Members are beginning to realize we do have a problem with Social Security. Like the budget, this debate on Social Security is very important to our children and our grandchildren.

I think we have to keep in mind that what the President is suggesting is not a mandate. If you are under 55 years of age or younger, you don’t have to get into private accounts if you don’t want to—personal accounts, if you don’t want to have them. I prefer to refer to them as personal accounts because what we are doing is we are giving individual taxpayers a choice. People who are going to rely on Social Security will have a choice as to how they would like to structure their retirement account. We don’t mandate them to do anything.

Do you know what. If we put in place personal accounts, I think the Members of this Senate, particularly people who are opposing personal accounts, would be surprised how many Americans would flock to it. I base my observations on what has happened with Federal employees and State employees. Try to suggest to the Federal emplees they somehow or other they ought to participate in Social Security and give up their own retirement plans. It would not be very popular. They have a choice. Federal employees have a choice, as Members of Congress have a choice.

They have a choice. Do they want to put their money in the stock market? They don’t invest in individual stocks. It goes into a fund that is managed, and these professional investors manage that stock fund. It goes into a bond fund and professional managers manage that. Or it goes into Treasury notes. Those are the choices Federal employees have.

Why can’t ordinary Americans, everyday Americans who are out here working on Main Street, why can’t they have the same choice as Federal employees? One concern I get from State employees in Colorado is: Don’t put us in the Social Security system. We have our own retirement system, called RA. We have a choice, as State employees, where we want to put our money for retirement, whether we want it to go into a stock market fund or whether we want it to go into a bond fund. They carry that in their own cards. It is some type of Treasury note. They have three choices. That is what I understand the President is talking about.

When given the choice of whether they want to go into Social Security or do they want to go into a similar fund, what we are talking about with personal retirement accounts for Americans, there is a general rejection of the Social Security program. Whether Federal level, employees on the State level, don’t like that idea because they know Social Security performs so poorly, and when they are given their own choices as to how they want to invest their money in their own retirement plans, they can do a better job than the Government can do. That has been reflected in the experiences we see throughout the States as well as at the Federal level.

Members of Congress have the same choices as Federal employees. During the Presidential campaign we heard the candidates talking about: The American people should have the same choices as Members of Congress have in retirement. We can go ahead and give them that.

I think this is a good budget. I think it tries to address our budget in a responsible way. So I urge my colleagues to join me in passing a budget. We need to pass a budget. That is the responsible thing, to get a budget passed. Then we can continue the debate. I think this is an important issue and I urge my colleagues to join me in supporting this resolution. I yield my time.

The PRESIDING OFFICER. Who yields time?

Mr. CONRAD. Mr. President, I will yield 4 minutes to the Senator from Montana.

Mr. BAUCUS. Mr. President, I thank my friend. I might say, in regard to the recent statement by my good friend from Colorado with respect to privatization accounts—with all due respect, I want to point out, I don’t know if he is quite accurate. I would like his response to this.

Isn’t it true, though, that today Federal employees have both Social Security and private accounts? In addition to Social Security, that is, you have your Thrift Savings Plan. Federal employees have the Thrift Savings Plan, and they also pay into Social Security, which is not the President’s program at all. The President’s program is to take money away from Social Security and put it into a personal account. Even with the so-called personal account, you wouldn’t be able to keep it, as we would our Thrift Savings. They have to give it back to Social Security. It is not even apples and oranges compared to the President’s plan, it is watermelons and peanuts, with no comparison. The fact is, once again to make it very clear, we Federal employees have both Social Security and the private accounts, separate, outside Social Security. We get to keep all we put into our private account because that is our retirement and Congress in the President’s plan, money is taken away from Social Security into a privatization account and the person who...
Mr. BAUCUS. I might say with respect to the tax cut, the United States suffered the worst multiyear revenue drop since World War II. That is a fact. Revenue did not go up, it went down.

This is Federal revenues in trillions of constant 2000 dollars. Revenue went down 18 percent over 3 years with the tax cuts. Tax cuts did not generate more money, they generated less money. That is a fact.

When I hear the claim that this budget is fiscally responsible, that is just words. What are the facts? The facts are that the revenue of the United States plunged to the lowest level since 1959 after the tax cuts. That is a fact.

Here is a second fact. With the tax cuts, the United States faced the worst multiyear revenue drop since World War II. That is a fact. Revenue did not go up, it went down.

This is Federal revenues in trillions of constant 2000 dollars. Revenue went down 18 percent over 3 years with the tax cuts. Tax cuts did not generate more money, they generated less money. That is a fact.

When I hear the claim that this budget before us is fiscally responsible, that is just words. What are the facts? The facts are, according to their own calculation—this is from their own budget document—that each and every year of this budget by over $600 billion. It goes up $669 billion this year, it goes up $636 billion next year, $624 billion in 2007, up $622 billion in 2008, and up $611 billion in 2009.

They say they are improving the deficit. No, they are not. This budget before us makes the deficit worse by $130 billion—worse than if we just put the Government on autopilot and made no policy changes. But this budget does make policy changes, and the policy changes that it makes makes the deficit worse, makes the debt worse in 5 years by over $3 trillion of additional debt when we have already got the debt that is running away from us.

Mr. CONRAD. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment is as follows:

(a) POINT OF ORDER IN THE SENATE.—It shall not be in order in this Senate to consider any direct spending or revenue legislation that would increase the on-budget deficit in any fiscal year.

(b) EXCEPTION.—The point of order established by this section shall not apply if 75-year solvency has been restored to the Old-Age, Survivors, and Disability Insurance Trust Funds as determined by the Social Security Administration actuaries.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Mr. CONRAD. Mr. President, the amendment that I send to the desk is the "Save Social Security First" amendment. It acknowledges that we have a challenge in Social Security. Clearly we do. It says what we ought to do is make Social Security a priority.

It says simply this: Before we have any new tax cut, or any new mandatory spending, it should be the policy of the Congress to restore solvency to Social Security. What this amendment says is no new tax cuts, no new mandatory spending, unless they are paid for, or they can achieve a supermajority vote in this Chamber.

It is a very simple amendment. It is about priorities. What is most important? Is it more important to have new spending in other programs? This amendment says no. The priority ought to be to restore solvency in Social Security. Is it a priority to have more tax cuts? This amendment says no. The priority ought to be to restore solvency in Social Security.

This amendment says simply no new mandatory spending or new tax cuts unless the tax cuts for the new spending are paid for or unless they can get a supermajority vote in the Senate. You could have new spending or new tax cuts if, No. 1, you pay for them or, No. 2, you are able to get a majority vote. If you can’t do those things, you can’t have new tax cuts and you can’t have new mandatory spending unless we achieve solvency in Social Security.

For all those who have given speeches across the country and across the States about Social Security first, this is a chance to put their votes where their speeches are. This is a chance to say, yes, the priority ought
to be restoring solvency to Social Security. That ought to come ahead of tax cuts, and that ought to come ahead of new spending unless those things are paid for. If you pay for new tax cuts or pay for new spending, that is fine. If you can get a supermajority vote, that is fine. But what we have to beware of is the solvency of Social Security first.

There is no question we have a problem in Social Security. There is no question at all. Why? Because the Congressional Budget Office tells us that in 2006, Social Security trust fund will go cash negative; in 2052, Social Security will only be able to meet 78 percent of its obligations.

Clearly, there is a problem. The big driver to the challenge of Social Security is the demographics of the country.

Here is what happened. We have about 40 million who are eligible for Social Security now. By 2050, there will be twice as many.*

The President has indicated that he is going to take Social Security and modify Social Security trust fund, the blue bars are the Medicare trust fund. The red bars are the President’s tax cuts, both those that have been implemented and those he has proposed.

This shows very clearly that right now we are in the sweet spot. Right now we are getting more revenue from the trust funds than we are paying out. But as those trust funds go cash negative, the cost of the President’s tax cuts explodes. The result is the country goes right over the fiscal cliff. We are running record deficits now. We haven’t seen anything yet. Under the President’s plan, the deficits and the debt explode, and they explode right when the trust funds go cash negative.

The President has indicated that he believes there is a 75-year shortfall in Social Security of $3.7 trillion. That is based, by the way, on a very pessimistic forecast of economic growth.

That is based on a forecast that says economic growth for the next 75 years will be 1.8 percent or 1.9 percent. Economic growth in the previous 75 years has averaged 3.4 percent. This whole forecast of Social Security is a very pessimistic forecast.

I must say I have great doubt about the accuracy of the underlying forecast. But based on that forecast, the President says there is this looming shortfall in Social Security. Interestingly enough, the cost of his tax cuts over the 20 years would be as much—$11.6 trillion compared to the $3.7 trillion shortfall he says exists in Social Security.

When the President sent up his 2002 budget, he told us at the time:

None of the Social Security surplus will be used to fund other spending initiatives or tax relief.

That is what he said. That is not what his budget says. He said he was going to take Social Security money and use it to pay for other things. That is a contradiction of staggering proportion.

Interestingly enough, I asked my staff to figure out how much money the President is taking from Social Security over the next 10 years and then tell me how much his tax cuts are over that same period. Interestingly enough, here is what they came back with: The President is going to take $2.35 trillion of Social Security money over the next 10 years to pay for other things. The cost of his tax cuts over the same period are almost the identical amount, $2.6 trillion.

The flaws of the President’s Social Security plan are very evident, if you study the details. With the Nation already in record deficit, with the debt skyrocketing, the President says: OK, Social Security is short of money. So in my budget I am going to take even more Social Security money and use it to pay for other things, despite having promised in 2002 not to do that.

Then the President says, in addition, I want to take even more money out of Social Security to establish private accounts. How much? Over the next 10 years the President’s plan takes an additional $754 billion out of Social Security, in addition to the $2.5 trillion he is taking from his budget to pay for other things. He takes another $754 billion to establish private accounts. That is $2.3 trillion total.

Where does the President propose getting this? He proposes borrowing it. On top of our already record deficits and debt, the President proposes borrowing another $4 trillion.

Now, the problem with all of that, of course, is, where is he getting the money? Where is he borrowing it? In fact, he is borrowing it from foreign countries. The foreign holdings of our debt have gone up almost 100 percent in just the first 3 years of this administration. And it is rising very rapidly as we go forward. The President says, Go out and borrow even more.

Here is what is happening to the publicly held debt of the United States under the President’s policies. When he came into office, we had $3.3 trillion in debt. By 2015, under the President’s policies he will have nearly tripled the debt to $9.4 trillion.

Social Security is perhaps the most important legislative enactment of our time. Social Security has lifted people out of poverty. Two thirds of retirees rely on Social Security for more than half of their income. Let me repeat that: Two thirds of retirees rely on Social Security for more than half of their income; 31 percent get at least 90 percent of their income from Social Security.

I will never forget going to a community forum in a small rural town in North Dakota. An elderly woman was in the front row. She had a little note pad where the money went. She had been on Social Security; she had her prescription drugs; she had her food costs. After she was done with rent, utilities, prescription drugs and food, she had no money left.

She said to me, Senator, what will I do if my prescription drug costs go up even more? She was paying, as I recall, out of her roughly $800 a month in income about $200 a month in prescription drugs. She was paying as I recall, $250 a month in rent. She said, What do I do if my prescription drugs become even more costly?

She was in that category of the 31 percent that get at least 90 percent of their income from Social Security; 33 percent get 50 to 89 percent of their income from Social Security; 3 percent get less than 50 percent of their income. So almost two-thirds rely on Social Security for more than half their income and almost a third get 90 percent of their income, or more, from Social Security.

This is not something we can be gambling with. For those people, Social Security is their lifeline. We know that nearly 50 percent of beneficiaries would be in poverty without Social Security. With Social Security, 9 percent of seniors live in poverty. Without Social Security, they estimate 48 percent of seniors would live in poverty.

I want to go back to the question of the whole basis for this discussion and debate on Social Security, because it is all based on assumptions. It is all based on forecasts. And the forecast is for economic growth of 1.8 to 1.9 percent for the next 75 years. Economic growth over the previous 75 years was much higher than that, 3.4 percent. The components of the economic growth are two: one is productivity and the second...
component is new entrants to the workforce. The reason they are forecasting such lower economic growth for the future is because they look at the demographics of the country and they say we are going to have a real slowdown in new entrants to the workforce.

The other component of economic growth is productivity, and they are assuming productivity will grow at a rate of only 1.6 percent for the next 75 years. That is a very pessimistic forecast. And then you add in that productivity growth the country is going to plunge to 1.6 percent. I don’t believe that. I think that is overly pessimistic.

I believe part of this Social Security debate is based on a false premise, a pessimistic view that the productivity growth in the country is going to collapse from what it has been over the last 75 years to a rate of half as much.

With that said, there still is a challenge in Social Security. Even if these forecasts are all right, there is still a problem. The problem is largely one of demographics. The President’s plan is to dramatically cut the benefits. In fact, he would cut the benefits by moving from wage indexing to price indexing. Out in the future that would reduce benefits from what are currently provided by 46 percent.

Now, the President says, yes, that is true; I do have a plan that cuts the benefits dramatically. But, he says, I also have a plan that will set aside in private accounts, personal accounts or individual accounts, money that could be invested in the stock market. That money would be in your name. That money would be able to grow perhaps more rapidly. That is the bet that he is making.

The problem with the President’s plan, one of the problems, aside from being financed by massive debt, is the way these private accounts function. These private accounts function in a little different way than I have heard the President describe them. Under the President’s plan, there is something called an offset. Let me explain how that works.

Under the President’s plan, if you set aside $1,000 for 40 years and you have 6½ percent rates of return during that period, you would have $92,000 in your account at the end of the 40 years. Let me repeat that: If you put aside $1,000 a year for 40 years and you get a 6.5 percent rate of return every year for those 40 years, you would have $92,000 in your account. That sounds pretty good. Under the President’s description, that is your money and no one can take it away. That is true as far as the prescription goes.

But what the President has been leaving out is that his plan assumes that the money to establish your account was loaned by the Social Security trust fund and they expect to be paid back with interest. I have not heard the President ever describe his plan in quite that way, but that is how it works. Yes, you have this $92,000 in your account, but they are expecting you to pay back to the trust fund all of the money they they loaned you. Interest. So at the end of the 40 years, you would owe back $78,000 under the President’s plan.

Now, you do not owe it back out of your individual account. Here is the twist to it. They assume they have loaned you this money for your private account and they expect to be paid back. But they don’t expect to be paid back out of your private account. Instead, they let your further reduction in your already reduced traditional Social Security benefit. So you have already taken a reduction in that account, supposedly made up for by these individual accounts, but a big chunk of what you are paying into your individual account you have to pay back. And you pay it back not out of your individual account but you pay it back out of your already reduced Social Security benefit.

Under this scenario, at least you would be ahead of the game. That is assuming you earned a 6.5 percent rate of return on your private account. But what happens if you do not earn a 6.5 percent rate of return on your private account? What happens then? Then the story is even less appealing. Because under that scenario you would have $64,000 in your account—not $92,000—but you would still owe back $78,000.

For those who are listening to this in somewhat incredulous disbelief, I am not making this up. This is how the President’s plan works. I have had his people spend hours with me. I have asked them about it, I have quizzed them about it, and they have assured me this is how it works. Yes, you put money into your individual account. Yes, hopefully you have a rate of return on it, but—and it is a big “but”—you owe the money back because theoretically that $1,000 a year was loaned to you from the Social Security trust fund and they want it back. And they want it back with interest.

So, if you set aside $1,000 a year for 40 years and you only earn 5 percent on the money, you would have $61,000 in your account, but you would owe back $78,000—the $1,000 a year plus a 5.8 percent rate of return on the money they loaned you. That is a 3 percent real rate of return plus inflation. The Social Security Administration calculates that at 5.8 percent, you would owe back more than they gave to you. So, under this scenario, if you only earn 5 percent in your individual account, you owe back more than you have in your account. And again, you do not pay back out of your individual accounts, although they assume that is where the money was loaned to you; you pay back by taking an additional reduction out of your already reduced Social Security benefit.

Let me just conclude as I began. I am offering an amendment which is at the desk that says, simply, let’s put Social Security first. Let’s say no new mandatory spending and no new tax cuts until Social Security is solvent, unless those who want more tax cuts or more new spending pay for them or unless they can get a supermajority vote here in the Senate. If they do not pay for them, if they cannot muster a supermajority, then let’s mandate spending or new tax cuts until Social Security is solvent. It is a very simple amendment that says, what are the priorities of the country? Are the priorities new tax cuts that are not paid for or new spending that is not paid for or is the priority to restore the solvency of the Social Security fund?

Mr. President, I thank the Chair and yield the floor.

THE PRESIDING OFFICER. Mr. Sargent, the Senator from New Hampshire.

Mr. GREGG. Mr. President, let me take a few minutes to try to reframe the issues which are before us because some is just inaccurate. The statement that the Senator from Colorado was inaccurate in his statement relative to what has happened to taxes is also inaccurate. The statement of the Senator from Colorado was correct. Since the tax cut was put in place, yes, there was a falling off of tax revenues during that period. It was primarily driven by a recession, which would have been a much more severe recession. And there would have been a much deeper drop in revenues had the tax cuts not occurred.

That recession was driven by two primary elements. The first was the breaking of the bubble of the late 1990s, the largest bubble in the history of the world, the Internet expansion bubble. The second was the attack of 9/11, which was a terrorist attack, which contributed to the economy as a result of America adjusting to that. And, of course, we had to spend a lot of money to get ready to deal with this terrorist event, and that was money we had not expected to spend.

But since those tax cuts have been put in place, something very significant has happened. There has been an increase of revenues. The recession was shallower than we expected. As a result...
of the tax cut being put in place, people, therefore, received more of an incentive to go out and work harder and to invest more of their money. Rather than having the Government make the decision as to where money was being spent, people were making decisions where their dollars were going to be spent.

As a result, we had a more efficient economy and jobs have been created. In fact, we have seen the largest expansion in the economy since the early 1990s in the last quarter. Today we are at a historic low in unemployment. Today revenues are going up, and they have gone up for a number of years.

This chart points it out. Last year revenues went up by 9.4 percent at the Federal level. That is a pretty big jump. The next year—this year—it is expected to go up by 7.6 percent. Next year it is projected to go up by 6.5 percent; then, 6 percent; 6 percent; 5.5 percent. These are very significant increases in Federal revenues and they are a function of the fact that we have in place a tax law today which gives people the incentive to go out and be productive.

Two specific revenues which have jumped dramatically are revenues from dividend income and revenues from capital gains income, both of which the rates were cut—dividends to 15 percent, capital gains to 15 percent. What was the practical effect of that? If you listened to the other side, they would tell you that the wealthy in America got a huge tax cut. What actually happened was the Government of America got a huge tax windfall. Items which were not being taxed before, such as capital gains assets—assets which had appreciated and which people were refusing to sell or convert or trade because they did not want to have to pay taxes—suddenly people were saying: Well, let’s sell that stock. Let’s sell that piece of real estate. So assets which had been locked up, the money which had been put back in the hands of the American people and essentially saying we are going to spend the money which was in people’s pockets. As a result, we had a huge spike in revenues from capital gains. Not only did we get the spike in revenues, we saw those revenues reinvested in a much more efficient way because the dollars that came out of those assets which had been sitting there in people’s hands, and they had been put back in the economy in a more productive way because that is the way a market economy works. So we got a double benefit. We got more tax revenues as a result of the tax cut, and we got a more efficient economy. As a result, we have gotten more jobs and more productivity as a nation. That is all a big plus.

Now, the 1990s economics that the other side subscribes to—which is that you can simply try your way to prosperity, that Americans really should not own their own assets, that the Government owns your assets, that we here in the Senate have a better way of spending your money than you have—that philosophy has been proven to be not only unconscionable but counterproductive to a strong economy in this day and age. Yet we see it restated here over and over again with amendments that are on the other side of the aisle which simply says: Let’s tax people more. Let’s spend more. We know how to spend your money better than you do. We’re just going to raise your taxes and then put it on our little projects. And we are going to put it here or put it there so we can put out a good press release. Well, the effect of that, of course, is to stifle the economy, to stifle productivity, to reduce the creation of the job atmosphere in this country.

What this President understood—as we headed into a recession, which was not of his making, which came out of the 1990s bubble, which came out of the fact that we were attacked on 9/11—what this President understood in this timeframe is, if you reduce taxes, you create an incentive for people to be more productive. If you say to people, you spend your money rather than having the Federal Government take it out of your pocket and put it into a project, the Senator here in Washington tell you how to spend your money, that dollar is going to be spent more efficiently and create more jobs.

That is exactly what has happened. Not only has the President understood but the Federal revenues are going up as a result of it, and they are headed back toward what the historic level of revenues is in this country, somewhere around 17.9 percent of gross national product. We do not have as a nation a problem that the American people are undertaxed. Show me an American who is working today who is earning income who feels they are not paying enough taxes. It is a very few, very few who fall into that category. Most Americans pay a fairly heavy load in taxes and a fairly reasonable load in taxes. They do not need to be hit with more taxes. Yet as we go through this budget, the only solution we hear from the other side is: Raise taxes and spend more money. Raise taxes and spend more money. That is a lot of money, but it is not enough for the other side of the aisle. No, no, no. They have to raise taxes. They have to increase spending because they have to put out their press releases to say that they were concerned about this group or they were concerned about that group, but if it is tax policy and it is a $2.6 trillion budget shows a lot of concern for a lot of different groups. What we should be concerned about is the American taxpayer. So to make the representation that somehow the American people are undertaxed and we need to raise taxes is somehow that increasing significant revenue increases in this economy as a result of having cut taxes is simply inaccurate, in my opinion.

Now, to move on to this specific amendment which raises the issue of Social Security and tax policy and then spending policy as the practical effect of this amendment would be to essentially say the Federal Government can do nothing until it solves the question of Social Security—that is the practical effect of this amendment—unless we had 60 votes, which around here is pretty hard to get for anything. We can’t even get judges through. I can imagine what we would do trying to get the Government to run. We can’t even get judges appointed without using the nuclear option. So it is pretty hard that 60 votes is a very high threshold and essentially saying we are going to stop the Federal Government’s progress in the area of giving tax relief.

Interestingly enough, it does not say that the Federal Government will not continue to spend dramatic amounts of money. It is basically pointed at tax activity. It says new entitlements, but we all know it is not the new entitlements that are the issue. The expansion of the spending is the issue. So it has a little bit of a disingenuousness to it in that it treats tax policy and then spending policy as dramatically different by essentially saying spending policy is OK, that is exempt, as long as it is on the book, but any tax that is on the book and comes to an end, as it does under our rules, we will treat it differently.

But independent of that, the practical effect of this amendment would be that we should be spending in a number of areas of governance to a halt until Social Security is determined to be solvent. This would be philosophically
maybe a nice approach to take, but the problem with it is, from the other side of the aisle we have had no proposals—no proposals—to make Social Security solvent—none, zero, zippo. In fact, the other side of the aisle continues to refuse to engage in discussions about whether Social Security should be made solvent, which the President has initiated. They have essentially said: I'm sorry. You are alleging there is a problem. There is no problem. And we are not going to allow you to move forward even if there is a problem. There is no problem. And we are not going to allow you to move forward until we have a problem with it. Because from the other side of the aisle they say, they are going to replace the entire engine; today you can just put in a new oil filter. That is the way the Social Security system is. You can pay me now or pay later when the baby boom generation retires, which will totally undermine the quality of life of younger workers. It will affect their benefits so much. You are going to have to raise younger people's taxes so much.

The unwillingness of the other side of the aisle to face up to this issue is, in my opinion, a failure on their part to address their responsibilities to people who are governing this country today. Yet we see amendment after amendment such as this one, which is an attempt to basically cover up the problem that is on the issue. What don't see from the other side is a willingness to step up and address the issue. Show us your plan. You have castigated and vilified and basically attempted to destroy the capacity of the President to address this issue time and time again. You have said he has been dishonest in his presentation and that his positions are going to harm America and older people in this country, when he specifically said, of course, it will not affect anybody over 50 and that it is voluntary.

Yet have you come forth with a plan, proposed a plan, or suggested any remedy at all? No, you have not. You put out these amendments, which are for the purpose of political protection. You should be ashamed of yourselves.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I am glad to see my colleague show such spirit. I must say I disagree completely with his characterization not only of my amendment, but of our position on this issue. Look, I think it is very clear. The President came to the American people and said there is a problem in Social Security. I happen to agree there is a problem. My colleague must have missed part of my speech. I made it very clear, although I believe the basic assessment of how serious the Social Security problem is is based on a very pessimistic forecast of 1.8 or 1.9 percent economic growth for the next 75 years.

Mr. GREGG. Will the Senator yield so that I may agree with him on something?

Mr. CONRAD. I would love to have the Senator agree with me, but not right now. I want to complete my statement. Then I will be glad to have an exchange with the Senator, for whom I have regard, and I even have affection for the Senator. I say to my colleague, we do have a difference and it is a very important
difference and it deserves to have this kind of spirited debate. Let me say that the President said there is a problem in Social Security. Again, it is based on a forecast of 1.8 or 1.9 percent economic growth every year for the next 75 years. SSA’s actuaries in the previous 75 years has been not 1.9 percent but 3.4 percent. I don’t believe this forecast is accurate. I don’t believe it is correct. I still believe there is a problem in Social Security and a challenge. The problem is the one the Senator from New Hampshire outlined: It is a demographic problem.

Now, the Senator also said there are no assets in Social Security. That is factually wrong. There are assets. They are Government bonds, backed by the full faith and credit of the United States. The United States has never failed to meet its obligations. Does anybody believe the United States is going to default on those special issuance bonds in the Social Security trust fund? I don’t. I believe the United States is going to keep its promise. The Senator is correct, however, that to redeem those bonds, it is going to have to be done out of the current income of the United States. That is the place for the President. That is the place for the party across the aisle, which he and I might agree that we do have a challenge in Social Security, and the sooner we face up to it, the better. That is a place the Senator and I agree.

Now, to the amendment that I have offered, the amendment says, what are the priorities? The Senator indicated that my amendment says you cannot do anything in the Federal Government. No, it doesn’t say that. The amendment I have offered says simply you cannot have more tax cuts or new mandatory spending unless you pay for them. That is a novel idea around here. I must say my friends on the other side who say they are conservative have run up the biggest deficits and debt in the history of the country. They are borrowing $200 billion from China and Japan and South Korea. If you want to get spirited, I can get spirited, too, because I think this is a reckless course for the country—reckless. We have a massive deficit and the President’s answer: Borrow more money, spend more, borrow more, and go hat in hand to China. We have already borrowed $200 billion from them. Go hat in hand to Japan. I do not know of any country that strengthened itself by borrowing hundreds of billions of dollars from every country all around the world. But that is the President’s plan, that is the President’s strategy, and it ought to be rejected.

I notice my colleague from Michigan is recognized for 15 minutes. The PRESIDING OFFICER. The Senator from Michigan is recognized for 15 minutes.

Ms. STABENOW. Mr. President, I thank my colleague from North Dakota for his outstanding leadership on this issue. I join in his characterization of this entire budget resolution as reckless and out of touch with the lives of the American people.

While I disagree with the chairman, I first want to say I appreciate the way he worked with the Budget Committee and the resolution. I appreciate very much his giving us the opportunity to debate all of these issues. But I could not disagree more with the characterization of what is going on or with what is happening in terms of playing politics.

I start by saying that this amend-ment puts Social Security first. It gets the priority it deserves. It is our Social Security is our money—your money, individual money. Each one of us pays into Social Security. It is our American insurance policy so that we know we have a sense of dignity and a foun-dation for retirement. If you become disabled, there is a disability policy or, Heaven forbid, a woman loses her life, something is there for their family. It is your money. It is my money. There is not a penny of the general fund. This is our money that goes into Social Security, and we are saying we want to keep it secure.

The American public is counting on us to keep it secure for the future. And we are saying, with all the talk about Social Security these days, it is time to step up and to fix it and to put Social Security first.

I also say to my chairman, it is so easy to demagog on tax cuts. It is so easy. It is the easiest thing for an elected official to do: Don’t worry about the bill: don’t worry about how the schools are; don’t worry about enough police and firefighters; don’t worry if you cannot drink the water or breathe the air let’s just talk about tax cuts.

I know what, we know it is your money. For those watching, it is all of our individual money, but we also know something else. It is your schools. It is your roads. It is your health care system. It is your military fighting so courageously for us overseas. It is your veterans who are coming home. It is your communities asking us to partner with them so they can provide jobs, economic development in your communities. It is your doing the largest defense of the history of the country. You could wipe out every penny of nondefense spending, discretionary spending, and just about pay off this debt this year. It is astounding.

This is reckless, it is irresponsible, and to demagog, always to demagog, and say, Do you want to keep your families safe? Here, have another tax cut. And by the way, you are not going to get it, but the most blessed in your country will. To say we are not going to focus on schools, we do not care about opportunities for the future, to say we do not care about keeping ourselves safe or creating jobs is just plain reckless and the ultimate in demagoguery.

You know we had the largest budget surplus in the history of the country 4 years ago, I joined, on the Budget Committee, with our esteemed colleagues from North Dakota to support a reasonable future, to take a third of that surplus and put it into tax cuts focused on middle-income people, small businesses, to drive the economy. Let’s do tax cuts, I am all for it, and I have
voted for many. But let’s also take a third of that and take care of Social Security. We could prefund the baby boomers’ liability coming and take care of Social Security for the next 75 years with just a third of that. Then how about taking the other third to make sure we get the dollars and services into our districts, into hospitals, into schools, to make sure they have the technology they need, to make sure they can afford to go to college, to make sure our communities have the police and firefighters so when you dial 911, you get the best and you get a response possible. And, by the way, let’s make sure my city can talk to your city and the next city through an up-to-date communications system. And let’s make sure that our seniors have a quality nursing home and can get the dignity of home health care, that we are focused on health care, both for those most in need and vulnerable, and to support those providing that health care in our businesses.

We have a lot of work to do. We have not only an aging population, we have an aging infrastructure. Not only individually do we need a face-lift, but our cities need a face-lift—water systems, sewers, roads, and bridges. It is recklessly ignoring the priorities for the future of this country, not to be responsible in addressing each piece of it. There is a lot of demagoguery going on around here, and unfortunately it is because the easy way for an elected official is to pay the bills but to talk about tax cuts.

Let me suggest something else. I agree with our esteemed chairman that the bulk of Americans are not getting the tax cuts they need. They are paying too much in taxes. Why? Because the tax cuts that were passed are not going to them. They are going to the most blessed, the wealthiest among us. I do not begrudge people working hard and doing well, but I think they ought to pay their fair share. The American people and we in the Senate are paying too much in payroll taxes, and we are saying that Social Security represents what is best about us. Creating a system that we all pay into, you work hard all your life, it is there at retirement or if you need it in case of a financial disaster in your family. We work to get to college and was very successful because of our country’s commitment to each other.

I happen to believe caring about other people, caring about community, is the great thing. The thing about Social Security represents what is best about us. Creating a system that we all pay into, you work hard all your life, it is there at retirement or if you need it in case of a financial disaster in your family. It is like the Capitol here at the Capitol now who want very much to make the change. And deep benefit cuts, there is no way to avoid benefit cuts under the President’s proposal. There is no way the President’s proposals do not undermine this system. You can’t protect people 55 or older or the disabled, the survivors, when you take an insurance system and begin to pull out dollars. I don’t care how many times they say it, it is not true. You can’t do that. We know that. Regarding Social Security, if we go the route of President Bush, about with privatized accounts, we know three things will happen. We are going to drastically increase the national debt, which is already the highest in our Nation’s history. We will have high administrative costs—instead of a half percent to administer Social Security, we will see anywhere from 10, 15, 20 percent or more. And the folks, by the way, you would pay to administer the accounts are some of the folks we are talking about here at the Capitol now who want very much to make the change. And deep benefit cuts, there is no way to avoid benefit cuts under the President’s proposal.

So we are saying this doesn’t work. We don’t like this. What we have is an alternative. We have the power to put Social Security first in this budget. We have the power to do that. That is what this amendment does. If you don’t want to see increased national debt, you don’t want to see higher administrative costs, you don’t want to join our amendment. Our amendment is the responsible approach, unless your goal is to eliminate Social Security. If the
goal is to unravel Social Security for Americans, then you will not support this amendment because this amendment is about fixing Social Security for the future, securing it for the future.

The PRESIDING OFFICER. The time of the Senator has expired.

Ms. STABENOW. Mr. President, I urge adoption of the amendment.

Mr. CONRAD. I would say to the Senator, additional time. I would be happy to yield her an additional 5 minutes.

Ms. STABENOW. I appreciate that very much, but I notice a colleague here as well I would not proceed.

Mr. CONRAD. Let me say, it would help us because I need to visit with the chairman of the committee before the next amendment is offered, in the spirit of not surprising each other.

Ms. STABENOW. I am happy to proceed for a moment.

Mr. CONRAD. I am happy to yield an additional 5 minutes.

The PRESIDING OFFICER. The Senator is recognized for an additional 5 minutes.

Ms. STABENOW. I appreciate that. I know we have important matters to discuss on the floor. Let me take the final few moments and speak about the realities of Social Security and what is happening now, what we know to be true about the facts. There has been a lot of misinformation about the situation with Social Security, in terms of its financial security. I think it is important that we have different opinions and views about what should happen, but we should not have different facts.

The folks we all rely on, as we know, really have no philosophical position. These are the number crunchers whose responsibility it is to tell it to us like it is, the Congressional Budget Office. They tell us this: The Social Security trust fund can pay 100 percent of its obligations until 2052. Beyond that, if we do not want to privatize the whole system, you then won’t like this amendment. But if you support Social Security as being there for all of our families, if you believe, as I do, that it is a great American success story and we should celebrate it, strengthen it, and secure it, then this amendment is the right amendment for you.

I will go back to the very beginning and say this is always about values and priorities. In fact, the budget resolution is our values document. Just as looking at different personal checkbooks tells us a little bit about ourselves, looking at the budget resolution of the Federal Government, tells us something about all of us and the people we represent.

Right now this budget resolution is out of balance. This budget resolution is reckless because it adds to the national debt. It does nothing to pay down in a real way the deficit that doesn’t even include all of the expenditures to do with American families. It is plain out of touch.

When we are talking about a third of those cuts being in education and workforce development and vocational education, we are talking about massive cuts in Medicaid to our families and our children, and our seniors in nursing homes, this does not represent the values of the majority of Americans. We need some balance. That is not reflected in our budget resolution. I will go back to the final point, that this is about values and priorities. As an example, if we were to look at the next 75 years and the costs without new tax cuts that are being proposed, the current costs of the tax cuts for the next 75 years, it is $11.6 trillion, and to save Social Security is $3.7 trillion.

I would say to ask those most blessed members of the majority to ask those most blessed members of the majority of the benefits, to be willing to share in some way and to leave Social Security secure is the right thing to do.

The PRESIDING OFFICER (Mr. BURR). Who yields time?

The Senator from New Hampshire.

Mr. SUNUNU. Mr. President, I ask unanimous consent that I be yielded 3 minutes off the time controlled by the majority.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. Mr. SUNUNU. I want to make sure that is all right with the minority manager.

Mr. CONRAD. Mr. President, let me be clear. The Senator is asking for a unanimous consent on—

Mr. SUNUNU. For the timing of the next amendment to be offered. I thought I might be speak for up to 3 minutes to ensure that everything has been—

The PRESIDING OFFICER. The Senator will take 3 minutes of the majority’s time.

Mr. CONRAD. We have no problem with that. I could extend that unanimous consent request and I think that after the 3 minutes of the Senator, the Senator from Florida be recognized for 20 minutes off the resolution.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SUNUNU. Mr. President, I wanted to speak briefly to the concerns raised by the previous speaker, and in particular the three grave concerns with regard to Social Security. I take issue with those three items. The first one of the three items is the idea of the Social Security reform proposal, modernization proposal as envisioned by the President, would result from massive amounts of debt. That is wrong in part but, even worse, it is misleading.

The reason to take up Social Security reform legislation, which I have introduced in the previous session and will introduce again, is so we avoid $12 trillion of unfunded debt that our children and grandchildren will be stuck with if we don’t act now.

To suddenly say we can’t deal with Social Security because we are worried about debt is simply a smokescreen, and it is a smokescreen that refuses to recognize the reality that under the current structure we have a huge unfunded debt our children and grandchildren will be stuck with.

Second, there was a suggestion that personal accounts for younger workers, an optional system of personal accounts would result in huge administrative costs.

This is absolutely ridiculous, and every bit of evidence from any similar plan, similar account, similar fund argues against such a suggestion. The Thrift Savings Plan, which is probably the best model of the kind of personal accounts envisioned by the President in legislation that I have introduced, has 3.5 million members. Under Social Security, there would be significantly more than that. The administrative costs are less than two-tenths of 1 percent.

So to suggest that administrative costs would be exorbitantly high—I see...
numbers of 1 percent or 2 percent thrown out—is wrong. There is no evidence, no model to suggest that would be even close to the truth. Third, the suggestion that any kind of a personal account proposal would require deep benefit cuts or a tax increase is simply misleading the American public. I have introduced legislation which is scored by the Social Security actuaries that makes for a system solvent, is scored as bringing the system into balance permanently and has significant personal accounts and does not require benefit cuts.

There are a lot of proposals out there that involve changes to the current system, or even changes to benefits for, say, those at the higher income level, but to suggest that deep cuts are required is simply misleading the American public.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that at 2:15 Mr. CONRAD. We have a unanimous consent in place that the Senator from Florida will yield.

Mr. GREGG. I am sorry. I apologize. I ask if the Senator from Florida will yield to me for purposes of making a unanimous consent request.

Mr. NELSON of Florida. I so yield.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I didn’t realize there was a unanimous consent in place. I apologize.

Mr. President, I ask unanimous consent that at 2:15 today Senator GRAHAM or his designee be recognized to offer an amendment on Social Security, the text of which is at the desk; provided further that at 3 p.m. today the Senate proceeds in relation to the GRAHAM amendment, to be followed by a vote in relation to the Senator from Florida Social Security amendment, to be followed by a vote in relation to the Nelson amendment on Social Security, to be followed by a vote in relation to the Republican Social Security amendment, to be followed by a vote in relation to the Senate amendment, to be followed by a vote in relation to the Stabenow amendment on first responders. I further ask unanimous consent that all points of order be waived with respect to the Social Security amendments; further, that no second degrees be in order to any of the five amendments prior to the votes.

I also ask unanimous consent that all debate time until 12:15 be equally divided between the chairmen and ranking members, or their designees, and further that debate from 2:15 until 3 p.m. be equally divided in the same form, and that any quorum calls be counted against the statutory time limit with time divided equally between both sides. Further, that all votes after the first be limited to 10 minutes, with 2 minutes of debate equally divided after the first.

Mr. NELSON of Florida, Mr. President, I ask unanimous consent the pending amendment be laid aside for the purpose of offering an amendment.

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

Mr. NELSON of Florida, Mr. President, I send to the desk an amendment. The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senate from Florida [Mr. NELSON] proposes an amendment numbered 145.

Mr. NELSON of Florida. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate that Congress should reject any Social Security plan that requires deep benefit cuts or a massive increase in debt)

On page 65, after line 25, insert the following:

SEC. . SENSE OF THE SENATE IN SUPPORT OF SOCIAL SECURITY.

It is the sense of the Senate that Congress should reject any Social Security plan that requires deep benefit cuts or a massive increase in debt. It is proposed that the House that future Social Security benefits would be calculated increases each year not according to what has been the case since the beginning of Social Security, according to the index in wages, but instead targeted to a lower index, on prices.

So the combination of taking a third of the Social Security tax out of the Social Security trust fund plus a changing of the payment formula was going to cause cuts in benefits, with massive borrowing to fill the hole.

Why cuts in benefits?

Mr. GREGG. Would the Senator yield?

Mr. NELSON of Florida, I would be happy to yield to the Senator, but I have been waiting for the last hour and a half this Senator wants to speak his mind. Then I will be happy to engage with the Senator.

Mr. GREGG. This would be for the purposes of renewing a unanimous consent request.

Mr. NELSON of Florida. If it is a unanimous consent request, I yield.

Mr. GREGG. I request the unanimous consent request which I propounded a few minutes ago.

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

Mr. GREGG. I thank the Senator from Florida for his courtesy.

Mr. NELSON of Florida. It is a pleasure to always accommodate the leadership of the committee. I have thoroughly enjoyed working with the leadership of the committee. Perhaps we might come to a resolution over the amendment I have just offered because this amendment speaks truth.

Let’s go back to where I was in the explanation. We have changed the so-called privatized accounts, with the result, combined with the change in the index in wages, but instead targeted to a lower index, on prices.

That means you are going to have to fill that hole by the Social Security trust fund to fill the hole. The Social Security actuaries have estimated that is $4.9 trillion over 20 years.

Members of the Senate, right now the publicly held national debt of the entire country is $4.3 trillion. We are talking about a system, a program, that is going to go more than double the publicly held national debt over the next two decades if adopted.

It is most appropriate that we start this discussion of the budget resolution
because the budget resolution is a lot about borrowing. It is a lot about massive deficit financing. And now the administration has a proposal that would add massive additional borrowing to the present national debt.

When I came to this Congress in 1978 and was on the Budget Committee as a freshman in the House of Representatives, back then we used to call it fiscal conservatism when someone would want to balance the budget, when someone would want to get the revenue or_controls and expenditures in sync. What we had 3 years ago was more revenues coming in each year than we had in expenditures, and the difference was a surplus. But 3/2 years later this is where we are: Massive spending and less revenue.

The deficit in this next fiscal year—you can take your choice, since this budget has now become a political document instead of an economic document, whether you think it is going to be $2.5 trillion, which does not account for all of the realities of the additional spending as well as additional tax cuts, if enacted, or it is going to be more like $434 billion of deficit spending. That is a concern.

Every time we talk about the budget—as a matter of fact, my maiden speech on the floor of this Senate—and I waited appropriately for about a month before I made a speech back in 2001—my maiden speech was about the budget and wanting to have a fiscally conservative budget. But we have gone the other way since January of 2001. So we talk a lot about the annual deficit and adding to the national debt, and now it has gone haywire. It is out of control.

Now we have a proposal with regard to Social Security, not even to speak of the merits that you already heard in the discussion here, a proposal that is going to add massively to the debt of the United States. This is not the fiscally prudent way to approach a budget. So I have offered a sense of the Senate:

It is the sense of the Senate that Congress should reject any Social Security plan that requires deep benefit cuts or a massive increase in debt, and a failure to act by 2022 would result in deep benefit cuts; therefore Congress should take action to address Social Security solvency.

Now, why 2022? I could have used the year 2025. In the budget, the Congressional Budget Office has said it is the year—2025—when Social Security will have to cut its benefits down to something like 73 cents on the dollar. But the Social Security trustees say that date is 2042. That is 37 years from now. Why is that important? It is important to give us a marker at the point at which Social Security cannot pay 100 percent of the benefits.

This is quite in contrast to what we faced when I was a Member of the House of Representatives. For those in 1983. Social Security was about to run out of funds within 6 months, not in 37 years, not in 47 years. It was about to run out within 6 months. And do you know how we solved it then? A Republican President, Ronald Reagan, and a Democratic Speaker, Tip O'Neill, got together and they said: We are going to solve it. We are going to solve it in a bipartisan fashion. We are not going to get caught up in the politics. We are going to create a bipartisan commission. As a result of that commission, we are going to go out and give support in a bipartisan way. We are not going to use the results of that against anyone in the next election.

That was one of the finest hours in a success story of the Government of the United States, when within 6 months of Social Security being in trouble, running out of money, in 1983, as a result of that agreement, Social Security was made solvent all the way to the middle of this century—pick your date, 2042 or 2052, depending on whether you believe CBO or the Social Security trustees.

So that is why we put in this sense of the Senate that it is the President's plan is to divert money from Social Security that involves massive new borrowing, massive new debt, and steep benefit cuts? Is that the answer? Or is there another way? I believe, and I have stated publicly, there is a kernel of a good idea to what the President has proposed. I know many do not share that, but I do think there is a kernel of a good idea.

We also believe we have a challenge similar to—also believe we have a challenge in Social Security. I do not believe it is as acute as the President has presented it because I think the forecasts that it is all based on are overly pessimistic.

They are saying economic growth in America for the next 75 years is only going to be 1.6 percent a year, when in the past 75 years, economic growth has been 3.4 percent. I don't buy it. I don't believe it. I think they vastly underestimate the productivity growth of our country. First of all, I have little confidence in any forecast of 10 years, much less a forecast of 75 years.

With that said, the amendment of the Senate from Florida says, yes, we should move to bring solvency to Social Security, but we should not do it by massive new borrowing, and we should not do it by steep benefit cuts. That is what the President's plan is. The President's plan is to divert money from Social Security that is on top of what he is doing in his budget because, remember, in his budget he is taking every penny of Social Security over the next 10 years—$2.5 trillion—and using it to pay for other things. This is after he says there is a shortfall in Social Security.

In the next action, he sends us a budget to take $2.5 trillion in Social Security and use it to pay for something else. He says, I am not doing; I have another idea; let's take another $750 billion in Social Security to start private accounts. But that is the tip of the iceberg, because the $750 billion of additional taking from Social...
Security to start private accounts is just the first 10-year cost. The 20-year cost is $1.4 trillion. Others have estimated approaching $5 trillion.

I have taken a somewhat more conservative estimate. The President says, Borrowing every dime of it. When we already have record deficits, we already have debt that is growing out of control. He says, Don’t worry; just borrow more money.

That is a reckless course. Why is it reckless? Because much of this borrowing is coming from abroad, coming from China, Japan, and South Korea. We have increased the foreign holdings of our debt just in the first 3 years of this administration by almost 100 percent. It is going up geometrically every year.

We have seen two warning shots about the danger of doing that. First, from South Korea. They said, Gee, we are being deficit conscious and you are borrowing so much money to the United States. We are going to diversify out-of-dollar denominated assets. What happened? The stock market plunged 170 points in 1 day. The dollar went down again. It already was down 33 percent against the Euro in the last 3 years.

We have a problem. The problem is that if there was a precipitous drop in the dollar, the policy options open to this country would be very severe. It would require a dramatic increase in interest rates, steep cuts in spending, dramatic tax increases. That is what is known as the perfect storm. That is the risk being run by this reckless policy of deficits and debt and deficits and debt and borrow and spend and borrow and spend and spend, which, for some reason, our friends on the other side of the aisle have gotten into as a pattern of running the fiscal affairs of this country.

The skyrocketed during this President’s term, and here is the course he has us on. Publicly held debt, $3.3 trillion when he took office. They are now saying $9.4 trillion by 2015. The President’s answer on Social Security is to cut Social Security trust fund, and they expect to do it back with interest. If you pay it back with 5.8 percent interest, which is what the actuaries say would be required, you would have $78,000. But you don’t pay it back out of our private account under the President’s plan; you owe it back by further reducing your already cut Social Security benefits. That is how it works.

What happens if you don’t get a 6.5 percent rate of return? What happens if you only get a 5 percent rate of return? Guess what? Under that example, you would have $64,000 in your account, but you would still owe back $78,000. I know when I describe this to people, they cannot believe it. The President said, That is your account, your name is on it, nobody can take it from you. That is true, but he has left out this little additional fact: He assumes in his plan that this money was loaned to you by the Social Security trust fund. That thousand dollars a year, which came out of your Social Security payroll tax—the theory is—would have been in the Social Security trust fund earning a rate of return of 5.8 percent. That is there. There you have the money, but you don’t pay it back out of your individual account; you pay it back by taking a further reduction in your already cut Social Security benefits. That is how it works.

I will tell you, people are going to be mighty surprised to find out that is how it works. That is not the way it has been described. That is not what people have been told. They have been told that is their account, their name is on it, the government can’t take it away from them. All of that is true, but it leaves out something. It leaves out the rest of the story. The rest of the story is, yes, but you owe it back. That money was, in effect, loaned to you by the Social Security trust fund. So goes the President’s theory. Therefore, you have to pay it back to the Social Security trust fund—the money loaned to you—and you have to pay it back with interest.

Unfortunately if you don’t get a higher rate of return on your invested assets, you could wind up owing back more than is in your account. That can very easily happen because this assumes you have a 5-percent rate of return on your investment.

I wrote an amendment which would work. I find people are really stunned when I explain how they work, because this is not the way the President explains it. The President says you don’t owe money in your private account and earn, potentially, a higher rate of return. As far as he goes with that description, it is accurate. But he has left out something very, very important, because he assumes that the money in your private account was loaned to you by the Social Security trust fund, and they expect to be paid back. They expect to be paid back with interest.

Has anybody ever heard the President describe the plan in that way? That is how it works. I have spent hours with his people and they have assured me that is how it works.

Here is an example. If you set aside $1,000 a year for 40 years and you earn 6.5 percent on that money, at the end of the period, you would have $52,000 in your private account. That sounds pretty good. The problem is that you would have $78,000. But you don’t pay it back out of your private account under the President’s plan; you owe it back by further reducing your already cut Social Security benefits. That is how it works.

Here is how the private accounts would work. I find people are really stunned when I explain how they work, because this is not the way the President explains it. The President says you don’t owe money in your private account and earn, potentially, a higher rate of return. As far as he goes with that description, it is accurate. But he has left out something very, very important, because he assumes that the money in your private account was loaned to you by the Social Security trust fund, and they expect to be paid back. They expect to be paid back with interest.

Has anybody ever heard the President describe the plan in that way? That is how it works. I have spent hours with his people and they have assured me that is how it works.
the streets now than before the attack on 9/11 is simply reckless and irresponsible. I am very concerned that we are seeing cuts in a number of very important programs.

I told my colleagues that 2 years ago, we received a report that was authored by a blue ribbon panel chaired by former Republican Senator Warren Rudman. Their findings were daunting about the inadequacies in our homeland security efforts. They indicated that we needed a total of $98.4 billion over the next 5 years to truly be able to tell the families we represent that we have done everything possible to keep them safe. But instead of adjudging those dollars to make sure the radio equipment is there and the officers are there and to make sure the training is available, what is happening is we are seeing a $1.6 billion cut. It makes absolutely no sense.

We should not be ignoring this panel's recommendations. We should, in fact, be following them. As I said before, after 9/11, I did meetings all around Michigan. To a person, I was told that they did not have the resources they needed, and then coming back to them in the last year, I have asked, How is it going? They said we are worse off than we were before, which makes absolutely no sense.

I will add one important point given the current situation as it relates to violence in our courthouses, that we should recognize is in this budget cut. The Byrne grants, which my amendment restores, are important to hire, equip, and train additional law enforcement personnel in our courthouses. With the recent tragedy in Atlanta, GA, now is not the time to be cutting resources to our courthouses. All we have to do is look around, look at the headlines day after day, watch the news on television, listen on the radio and we know there has been a series of ongoing violent efforts in our country. Now is not the time to be cutting back on police or fire, whether it is to preserve a terrorist attack or to keep our citizens safe today. When the President talks about overwhelming cuts, basically eliminating the COPS Program which has been so important in putting police officers on the streets, this makes absolutely no sense.

I have supported funding for our military men and women who are serving us so bravely in Iraq and Afghanistan because we said it is important that we come together and provide the resources that are necessary. We have done that on a bipartisan basis. We need to do the same thing for our men and women who are on the home front who are working hard every day to keep us safe. That is what my amendment will do.

I would like to provide several examples of the deficiencies the Independent Task Force on Emergency Responders detailed in the Rudman report:

On average, our fire departments have only half the number of radios
needed on a shift, and only enough breathing apparatuses for one-third of their firefighters.

Police departments across America do not have the protective gear to respond to a weapons of mass destruction attack.

Our public health laboratories lack the basic equipment to respond to a chemical and biological attack and most report that they are overwhelmed with listing requests.

Finally, our first responders do not have the equipment they need to determine what kind of hazardous material they may be facing.

Why have we ignored this panel’s recommendations? The administration’s support for first responders has been on a steady decline. For example, last year funding for Michigan’s State Homeland Security grants program dropped from $47 million to $29.7 million. In this budget, the administration eliminates the Law Enforcement Terrorism Training Program, cutting another $400 million from our first responders.

I have spoken with police and fire chiefs across my State, and to a person they all tell me that they have fewer police officers and firefighters on their forces than they did before 9/11 because of funding cuts.

During a series of 11 meetings in the summer of 2003 I met with first responders and community leaders in Michigan. They told me in no uncertain terms that this is not a fundamental issue, but this is not solely a national issue. There are other states that have experienced the same problems.

In this budget, the administration cut $400 million from our first responders.

I urge my colleagues, before they vote on this amendment, to ask themselves are we doing enough here at home to keep us safe?

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. GRASSLEY. Mr. President, I yield myself such time as I may consume.

Mr. GRASSLEY. Mr. President, I rise to respond to Senator Conrad’s amendment, the pay-go amendment he brings up as it relates to fixing Social Security. But before I get into my remarks, I wish to call attention to some points raised by Senator Conrad. I do not dispute anything he said, but I would like to give some refinement of some statistics he has given.

Recently he spoke about the decline in the value of the dollar. His figures were accurate, as far as the decline of the dollar. But also where he starts, 1960, the dollar was 1.6 percent, but I think we ought to point out to the people of this country that from 1995 until the year 2002, we had a 50 percent increase in the value of the dollar. When we go back to 1995, the dollar was 1.6 percent. When we go back to 1995, we are over the Clinton administration.

In this amendment, we will find that we had a dollar lower in value than presently. Then we had the increase in the value of the dollar, and now we have had a 30 percent decline in the value of the dollar. The value of the dollar still is much higher than it was in 1995.

Another point I wish to make is on his dissertation on the estimate of the trustees of what the growth of the economy, of the growth of productivity will be over the next 75 years. He would say 1.6 percent. Over the next 75 years, the growth of the economy, as the trustees put it, at 1.6 percent is too pessimistic, and consequently maybe the situation over the next 75 years of the Social Security system is not as bleak as the Senator might have us believe. That is because he would point out that the average productivity of the economy over the last 40 years, from 1960 to the year 2000, was 1.76. So the point being made by the opposition is that the growth of the economy has really averaged more than what the trustees say it will over the next 75 years, so somehow we might not have anything to worry about.

If you take subsets of the years from 1960 until the year 2000, you will find from 1960 to the year 1975 we had a growth of productivity of 2.4 percent. But if you look at the period of time from 1975 until the year 2000, you would see that productivity growth was 1.38, to compare with what the trustees had under the next 75 years.

So I don’t think it is right to point out what the trustees have used as a figure because, compared to the last 25 years, it is not pessimistic whatsoever. You could even make an argument that maybe it is too optimistic.

As we listen to these figures, I hope there will be an effort on the part of my colleagues to study these figures and not just to take these charts at face value, because they may not tell the entire story.

Having pointed that out, I would like to speak about the amendment of Senator CONRAD, not reinstating the pay-go rules until Congress addresses the Social Security issue. Stop to think what sort of proposition this really is. The amendment says we should not do anything else to deal with over-spending by Congress until we address the Social Security issue. Unfortunately, no one I am aware of who supports the amendment before Congress to fix Social Security. So we have an amendment that says, in a sense, don’t do anything until we fix
Social Security but those who support this amendment don’t have a plan to fix Social Security. So, as I see this amendment, this is an amendment to just simply do nothing—not do anything about a plan to keep spending under control or, if you can’t do that, then don’t do anything about Social Security.

Due to the retirement of the baby boomers, Social Security will face rising deficits in just a little bit more than a decade. In fact, some people, including me, can legitimately say that this problem really starts in 3 years, when baby boomers start retiring, because their retirement is going to lessen the amount of surplus going from the payroll tax into the Social Security trust fund, which really becomes a problem when we have negative cash flow, just 13 years down the road.

Because Americans are living longer and having fewer children, there are going to be in the future fewer workers to support beneficiaries. That means that Social Security will face rising deficits long after baby boomers are retired and gone. There is widespread agreement that Social Security is facing a significant financial problem.

We could lay out 10 different charts here that would demonstrate the problems of Social Security. I do not think there is a single Democrat or single Republican who would have any disagreement with the problems of Social Security, now or for the next 75 years. It is mathematical and we ought to be able to find a mathematical solution to it.

But when it comes to finding a solution, there is very little agreement on what needs to be done to address this problem. President Bush has made saving Social Security one of his top priorities this year. We ought to thank the President for doing it, because now we are in a position 3 years away from where baby boomers are retiring. Will we look at this issue very dispassionately, not under a crisis environment. This is the period of time to deal with these problems. If President Bush had not raised this issue in the minds of the American people, we would not be dealing with it in Congress.

I have to say, as chairman of the committee that has to deal with this, I wish there was not a Social Security problem. Maybe people could say, Senator Breaux, you are chairman of this committee, why didn’t you deal with this 2 or 3 years ago, or 4 or 5 years ago?

There are some things you could spend a lot of time on and not get anywhere. If you don’t have any colleagues who want to deal with it. But President Bush, using the bully pulpit of the Presidency, has raised this in the minds of people now. Polls show the vast majority of the people know this is a problem Congress ought to deal with. So I would like to praise the President for helping us along with a very difficult road here in the Congress, dealing with something that we would not otherwise even be talking about. So it is one of his top priorities, and we ought to thank him for making this a top priority. He should be commended for his leadership.

There are a lot of Members in this body who are fully committed to saving Social Security and doing it this year. So, as chairman of the Senate Finance Committee, I must be ever mindful of the concerns of my colleagues and the rules of the Senate. Social Security is one of those very politically sensitive issues. Congress can ever deal with. That is why the last time it was dealt with was in 1983. That is 22 years ago.

President Bush brought this issue to the attention of the American people and to the Congress by his very well-thought-out statement: Save Social Security first—before you do anything else. He even referred to Social Security first, according to my colleagues here, when President Bush says Social Security is in a crisis, that is wrong. But I didn’t hear those same people, in 1998 or 1997, when President Clinton said it was a crisis, “save Social Security first, saying that there was anything wrong with calling it a crisis back then. Well, if it was a crisis then, it is more of a crisis now.

I don’t care whether it is a crisis, a problem or a challenge, it is something we need to deal with and deal with today. That is because if we deal with it today, this year, as opposed to next year, it is $600 billion less of a problem, because it costs $600 billion more on a cumulative basis over the next 75 years to deal with it next year instead of dealing with it this year.

President Clinton raised this issue, and even brought up the issue of incurring the costs of Social Security and the problems of Social Security, now or for the next 75 years. It is mathematical and we ought to be able to find a mathematical solution to it.

This is a very sensitive issue, one dealt with each year. We ought to deal with it now. We ought to welcome the opportunity to deal with it. We can deal with it in a calm atmosphere, not the crisis of 1983 when we were borrowing money from Medicare to keep Social Security checks going, or when we as a Congress put— I don’t know whether it was $10 billion or $20 billion, but we put billions of dollars from general revenue into the trust fund to keep checks going. Prior to that, a lot of people were saying we will not increase taxes. I will never cut benefits. But you know what happens when you are in a crisis; you end up doing both.

We have an opportunity to do this in the calm atmosphere. Such as the promise Congress made 28 years ago— not in 1935, not in the original contract where these promises were made. These promises we can’t keep today were made 28 years ago. We have a chance to correct them and we ought to take advantage of that opportunity.

Of course, as we are dealing with this sensitive issue, we are all mindful that the Senate’s rules require at least 60 votes to reform Social Security; that is, assuming that you would have a filibuster and you would have to overcome the filibuster. As a result of anything which is going to get done, we have to build strong bipartisan support if we are going to do anything. Even if every Republican would vote for Social Security, that would be 55 votes, and you aren’t going to get all of one party going in the same direction. We have to have bipartisanism to get anything done.

To begin the process of building bipartisanism and support for Social Security, I have met with the ranking Democratic member of the committee. I do that on a regular basis, not just on Social Security but on everything before our committee. We are going to try to find some common ground. We usually do. Everything should be on the table for discussion. We should consider all of our options. Developing a perfect and improve Social Security will be a complex and challenging task. It will require the support of both Democrats and Republicans. If we make a commitment to build a strong bipartisan consensus, we can break down partisan roadblocks that threaten the future of Social Security, but the first step is to agree on the nature of the problem.

As I said, if I laid out 10 different charts with different aspects of the problems of Social Security, nobody would dispute them. It is quantifiable, it is mathematical, and hence the agreement.

We have had in this debate, though, some critics who would muddy the water claiming that the Social Security problem is due to tax cuts that Congress enacted in 2001 and 2003. I don’t quite understand how cutting the income tax has anything to do with the trust fund being in trouble, because we have allowed the payroll tax to be cut out by Franklin Delano Roosevelt in 1935; that he wanted a payroll tax, money designated for Social Security so that there is a relationship between what you pay into it with what you get out, so that it would be an insurance program and not be a welfare program.

Maybe today, welfare doesn’t receive the public’s lack of respect it did in the 1930s. In the 1930s, it was a shame to be on welfare. Maybe today it is not. That is part of our problem with our society as a whole.

Franklin Delano Roosevelt wanted to be very careful that people who received Social Security checks were not seen as being on welfare. They weren’t on welfare because they paid into it. They were buying insurance when they did that.

Arguing that the cutting of the income tax has something to do with taking money out of the Social Security trust fund would be saying we are going to put this income tax into the trust fund and get away from the principle of a direct relationship between what you pay in and you
get out in interest and principal, and, consequently, have it lean more toward being a welfare program.

The Social Security problem has nothing to do with the tax cuts of 2001 and 2003. The critics say that repealing the 2001 and 2003 tax cuts for the rich would cover the Social Security deficit. But according to the Congressional Budget Office, by the year 2050, the cost of extending the tax cuts, if you wanted to say it had something to do with the Social Security problem and make it a welfare program instead of an insurance program, would be 0.7 percent of gross domestic product.

As you can see by this chart, the Social Security deficit is in fact 14 percent of gross domestic product. In other words, repealing the tax cuts for everyone, not just the rich, would cover only half of the Social Security deficit in the year 2050.

If you draw a straight line through the way, then turn the Social Security program into a welfare program where you get away from the principle set by Franklin Delano Roosevelt, that there had to be a relationship between what you paid in and what you drew out so that you weren’t on welfare, so you didn’t have the shame of welfare in the 1930s.

Moreover, the sustained use of general revenue to fund Social Security would destroy the historical link between individual benefits and contributions, thereby turning Social Security into another tax-and-spend welfare program. The figures being used by critics do not come from the Congressional Budget Office. They were made up by a liberal think tank often quoted here on the floor of the Senate. The critics’ figures are also based upon what we call present-value calculations. Such calculations now would assert that a dollar of additional taxes collected today will pay about $17 of Social Security benefits down the road 50 years.

How could this be? These present-value calculations assume that all the money you collect in benefits from repealing the tax cuts would somehow be saved and be invested in interest-bearing assets, paying 5.8 percent a year in interest. There is simply no way for our Government to make this kind of investment. History shows that the Government spends every dollar of taxes it collects.

In fact, I often have said in the Senate I might be willing to increase taxes if I had a dollar of money collected would go to the bottom line to reduce it. But what I find in the Congress, you raise taxes $1 and it gives Congress permission to spend $1.10 or $1.20 and sometimes even more. I have never run a business and I have learned that higher taxes who has ever told me how high taxes have to be to satisfy their appetite to spend money. Until I can find out how high taxes have to be, I will be very squeamish about raising taxes and somehow reducing the deficit.

The only way to prevent the Government from spending the tax cuts they would propose would be to put them in personal accounts. Unfortunately, those who claim the tax cuts would pay for Social Security are the very same ones who oppose personal accounts.

There are a number of ways to address this long-term problem. One such proposal would change the benefit formula from wage indexing to price indexing. Some critics of price indexing claim it would increase poverty among seniors. This point has been made in the Senate, but it is based on a number of erroneous assumptions.

First, critics say if you go back in time, reducing today’s average benefit level to the level that would have been paid in 1940, benefits would be lower and poverty would be higher. What sort of spurious comparison is this? In 1940, the average retirement benefit was 40 percent of the poverty level. In 1960, the average retirement benefit for Social Security was about 60 percent of the poverty level. The average retirement benefit is about 120 percent of the poverty level. So it is just this simple: no one is going to index benefits back to 1940. But that is the argument being made by our colleagues. The proposal would adjust, instead, today’s benefits going forward into the future, not backward.

I also point out that many of the price indexing proposals include a new minimum benefit for wage earners. An analysis by the Social Security Administration shows that a minimum benefit would actually reduce poverty more than current law does. So no one should be fooled by these spurious comparisons going back to 1940. It is almost laughable that someone would make that argument in the Senate.

The President has made Social Security a priority issue, and Congress should take advantage of this Presidential leadership. The chance to fix Social Security problems may not come again in 10 years. They will come for sure in 10 years because if we do not do anything, we get to the point of a crisis where people who want to increase taxes will not have a problem getting their heart’s desire of raising taxes. But you will also do what no one wants to do: change the benefits. So we should not miss this opportunity.

President Bush needs to keep using the spotlight to educate the public about why we need to take action on Social Security. We want a safe and secure retirement for every American. That is part of the social fabric of America. It is kind of like Grandpa Grassley. I am 71. I draw Social Security benefits. I am benefiting from a very good deal from the New Deal of President Franklin Delano Roosevelt—a good deal for me, my mom and dad, my grandparents. But for Carrie Grassley, 9 years old, my granddaughter, it is going to be a raw deal if we do nothing around here is not an option. Doing nothing is a guaranteed benefit cut for Carrie Grassley.

It is kind of a moral issue, whether Grandma and Grandpa GRASSLEY today ought to be concerned about a secure retirement for our children and grandchildren. Do we want to be selfish? I don’t think I have a right to be selfish. I don’t think they have a right to be concerned about the next generation. We have that opportunity now. Are we going to take advantage of it?

Social Security is a successful program. It definitely is a part of the social fabric of America. Young people who are our pages are paying in dramatically for me to receive my Social Security check. Even if we did something today and they get 100 percent of the benefits that are promised today, they still have to pay the bill, whether it is a raw deal but not as good as the deal I have. For sure, if we do nothing, 70 percent of those benefits is a raw deal. We have an opportunity to do something about it.

There has been a lot of attention brought to personal accounts by the other side of the aisle. The other side of the aisle has had a free ride on the question of solvency of Social Security. They want to change the benefit promises to Carrie Grassley and the young pages so they can have what we have. What about everything else dealing with Social Security. Do they have a responsibility? After all, we all get $160,000 a year? You mean you cannot come to the table to negotiate with CHUCK GRASSLEY on a problem we all agree ought to be done with or without personal accounts? But don’t figure you are negotiating in good faith if you tell me, before you sit down at the table, you can’t have everything on the table. That is what negotiations are about.

The other side has had the luxury of the public’s attention on personal accounts, and they are clouding that issue. This has given them the opportunity to avoid these tough issues of providing for Social Security for the pages or for Carrie Grassley. I don’t think they can get away with it very long.

I hope by this summer my committee is able to meet and report out a Social Security bill. It is my intention to do that. Will I get the cooperation to do that? One person cannot provide the votes, but we ought not to have that sort of discussion and see what we can do to bring it before the Senate.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative PRESIDING OFFICER. The clerk will call the roll.

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

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

Mr. CONRAD. Mr. President, I want to respond briefly to the chairman of the Finance Committee. Let me first say how much I welcome the tone and the content of his remarks. The chairman of the Finance Committee is exactly right. We need to work together
to face the challenge in Social Security, and, frankly, the even much bigger challenge in Medicare because, as I indicated this morning, the shortfall in Medicare is eight times the shortfall in Social Security. We also need to address the tremendous budget deficits and this massive growth of debt. All of these things need to be dealt with.

I also believe tax reform needs to be part of this mix. Why? Because the tax system we currently have is hemorrhaging revenue. The Revenue Service tells us the tax gap—the difference between what is owed and what is being paid, is over $300 billion a year. By all accounts, that is a conservative estimate. So before anybody talks about a tax increase for anybody, we ought to be talking about closing this massive tax gap—the difference between what is owed and what is being paid.

Senator Grassley made a number of references to the amendment I have offered. None of them are not a correct characterization of my amendment. I understand he said the amendment I have offered would not do anything to address overspending by Congress until we fix Social Security. And his characterization of my amendment is that it says don’t do anything until we fix Social Security.

That is not what my amendment says. That is not what my amendment does. My amendment says, let’s put Social Security as the top priority. Let’s save Social Security first. It does not say “only.” It says “first.” It says very simply: No new spending or no new tax cuts until Social Security is solvent, unless they are paid for.

Boy, there is a novel idea out here. You are going to pay for something. You can have all the tax cuts you want if you pay for them with spending reductions or other revenue. You can have all the new spending you want if you pay for it by reductions elsewhere in spending or revenue.

My amendment says you cannot have new spending or new tax cuts unless you pay for them or if you are able to come out here and get a supermajority vote. Otherwise, you have to wait until we put forward a plan that restores the solvency to Social Security. I think that is a pretty good idea. That is what my amendment does.

My colleague from North Dakota is in the Chamber. Can I ask the timekeeper where we are with respect to the time between now and 2:15 on our side?

The PRESIDING OFFICER. The Senator has 21½ minutes.

Mr. CONRAD. So 21½ minutes on this side.

What is remaining on the other side, if I could ask?

The PRESIDING OFFICER. Twenty-eight minutes.

Mr. CONRAD. Twenty-eight minutes.

I understand Senator DeMINT is coming to offer an amendment. We will need a little bit of time to respond to that.
work, but let’s exempt investment? Is work less worthy? Is it really less worthy? Don’t we value work? Don’t we honor work? Don’t we connect effort and reward? There are some who come to the Chamber and say, look, there are priorities that are more important to them than the Social Security program.

I happen to think the Social Security program works well, and has for a long while and will continue for a long while. It will be solvent for 75 years with any kind of reasonable economic growth, with no changes. But assuming we get a pessimistic rate of growth for 75 years, 1.9 percent compared to the 3.4 percent we had in the previous 75 years, assume, as the actuaries do, that we have an anemic growth of 1.9 percent, then we would have to make adjustments.

But that is not a pretext for what President Bush wants to do. What he wants to do is simple. He said it in 1978 when he ran for Congress. In the midst of a labor dispute he ran for Congress. He said that Social Security will be broke in 10 years. He meant 1988. Of course, that didn’t happen. It wasn’t true at the time. He said Social Security will be broke in 10 years and we ought to go to privatized accounts.

So this is not new. It is not even about economics. It is about a philosophy, about a decision and a desire to take apart the Social Security program. The question for this Congress is: Does Social Security have merit and worth for this country? Has it improved this country? Is it a part of this country’s decisionmaking over the last century that has improved America?

In my answer the answer is yes. We have done a lot of things together. We decided in the last century about a lot of issues. Some of them were hard. We had people die in the streets of this country who demonstrated for the right to work. Let’s help workers who helped build our country, about building a community, starting a church in a small town, about trying to raise a family by raising a crop, and hope it produces something you can sell in the fall to keep your family over the winter. Yes, the people who worked in the factories, as well, that began to mass-produce products. These are the workers of America who helped build this great country of ours.

We decided it is intolerable that one-half of them, when they reach their declining income years and retirement, should have to raise a family by raising a crop, and hope it produces something as good as this country is.

So we contribute each month from our paycheck—all workers do—into a fund called Social Security. There are a lot of things you don’t know about social security. You don’t know about the Social Security system. You don’t know about your health. You don’t know which of your relatives will survive to be helpful to you when you grow old. But you do know this: If you work and if you had an investment from your paycheck in the required number of quarters, Social Security will be there for you. You do know that. That is important.

Because we know that and because we now have nearly 70 years of experience with social security, we ought to understand that this ranks right near the top of the things we need to do to make this a better country: Preserve, strengthen, and nurture the Social Security system for the long term.

I oppose the proposal. I think it is a proposal that will begin to take apart the Social Security program. I support the amendments that will be offered and voted on this afternoon. Those amendments make good and good sense and it is the direction of deciding the following: We are going to strengthen and preserve Social Security for the long term. It ranks as a priority, the highest priority for this Congress.

Mr. BAUCUS. Mr. President, I rise today to express my strong support for Senator STABENOW’s amendment to restore funding for our first responders, including local law enforcement, and I am proud to cosponsor this amendment. We cannot continue to cut justice assistance program funding, particularly Byrne grant, local law enforcement block grants, and COPS funding.

The Byrne Grant Program, which was merged last year into the LLEBG program in a move I did not support, is vital to the efforts of local law enforcement in Montana to combat methamphetamine and other illicit drugs. I have heard this again and again and again, from local law enforcement agencies to the Montana Narcotics Officers Association to the Governor’s office to the attorney general’s office.

The Byrne program helps communities hire additional local law enforcement, operate drug treatment and stop local law enforcement to drug training.

Unfortunately, the President’s budget proposes an elimination of the Byrne Grant Program. This combined with cuts proposed to the high intensity drug trafficking area HIDTA, program and other justice assistance programs, would be a disaster for Montana. It would set the clock back years in our efforts to fight the rapid spread of methamphetamine in Montana.

According to the Montana Board of Crime Control, this is what will happen to Montana if the President’s fiscal year 2006 budget is enacted:

1. Montana will lose its multi-jurisdictional drug enforcement capacity, including seven multi-jurisdictional drug task forces. This means that already stretched local law enforcement agencies will have to do what they can to address drug enforcement at the local level, without broader support from the drug task forces.

2. Montana will lose 38 drug enforcement officers throughout the State.

3. Montana will experience a significant increase in drug availability, manufacturing and trafficking and drug-related crime.

4. Montana would experience an increase in clandestine labs that manufacture methamphetamine.

5. Montana would experience a reduction in the amounts of illegal drugs and guns removed from our communities.

6. Montana would experience the elimination of funds for rural law enforcement agencies’ manpower, equipment, and training.

The above impacts translate to a complete loss of rural drug enforcement offices in Montana and are one of the tips of the iceberg. The manufacturing, trafficking, drug addiction, and crime will have a ripple effect throughout the State in our public health and correction systems and the courts, negatively affecting public safety and the quality of life in Montana.

The Byrne program and similar programs support the majority of pro-active drug enforcement in the 56 counties of my State. This is because we are spread so thin across a vast area with a small population and an international border—Byrne is essential to us.

To protect our kids and our communities—our homeland—we have to continue aggressive drug enforcement across Montana. We have to continue teaching hundreds of classes to the good citizens helping to stop the spread of drugs like meth, including realtors, retailers, civil groups, and other local law enforcement agencies. Byrne funding is the difference between stopping a few street level drug sales and stopping drug manufacturing and distribution on a much larger scale.

Working hand-in-hand with Byrne Grant Program funding is the COPS Program. The COPS Program helps pay for all meth lab cleanups in Montana, protecting children and others from the harmful health impacts of the chemicals used to make meth. Additionally, the COPS Program helps provide for more law enforcement in drug enforcement units, while maintaining enough police officers patrolling our streets.

According to the president of the Montana Association of Chiefs of Police, COPS funding is necessary to maintain an adequate number of police in the field to protect our communities. He has told me that without COPS funding, the number of crimes,
I thank the Chair. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CONRAD. Mr. President, if I could have an update on the time situation both on the amendment and on the resolution.

The PRESIDING OFFICER. The Senator has 5 minutes remaining. The majority has 28 minutes remaining.

Mr. CONRAD. It is exactly 5 minutes.

The PRESIDING OFFICER. On the resolution, the majority has 15 hours, the minority has 14 hours.

Mr. CONRAD. I assume the time in quorum calls is being charged equally.

The PRESIDING OFFICER. It is not.

The Chair corrects himself. The unanimous consent request that was agreed to does equally share quorum call time.

Mr. CONRAD. I thank the Chair. Maybe someone who is listening to these proceedings can hear me outside this Chamber. Hopefully, Senator DEMINT is either on his way to the floor or will be shortly because we have the time until 2:15 p.m. At 2:15 p.m., we will be turning the attention of the Chamber to Senator LINDSEY GRAHAM. So on Senator DEMINT’s amendment, if he is to have much time, it would have to come before 2:15 or the time after 2:15 will have to be shared.

I hope someone is listening to this and will advise Senator DEMINT that if he wants to have as much time as possible before the votes that are scheduled, he should come soon.

We have an ongoing problem here. The ongoing problem is that this budget in this conversation is utterly detached from reality. It is detached from reality because we are running massive record budget deficits, and the party in the majority comes with a budget that increases the debt each and every year, by their own calculation, by over $600 billion.

Maybe somebody could bring me the chart from their own budget document that shows what their own calculation is of what this budget does.

Mr. President, I say to my colleagues on the majority side of the aisle, do they really want to support a budget that at a time of record deficits and burgeoning debt says more of the same?

I know the rhetoric on the other side is this budget is fiscally responsible, it cuts the deficit in half over 5 years. But the only way it reduces the deficit over 5 years is it leaves out things. It leaves out war costs that the debt $611 billion. This is not my document. This is in the budget resolution before us, and it says this is a blueprint to increase the debt $3 trillion. Is that what we should be doing?

Is that really the blueprint to strengthen America’s economic security? I do not believe it. I think that would be a profound mistake.

Mr. President, what is the time remaining on our side?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CONRAD. I thank the Chair. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(Purpose: Sense of the Senate that failing to address the financial condition of Social Security will result in massive debt, deep benefit cuts and tax increases.)

AMENDMENT NO. 150

Mr. DEMINT. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senate from South Carolina (Mr. DEMINT) proposes an amendment numbered 150.
Mr. DEMINT. I ask unanimous consent the reading of the amendment be dispensed with.

Mr. CONRAD. I object.

The PRESIDING OFFICER. Object is heard. The clerk will report.

The Clerk read as follows:

It is the sense of the Senate that Congress should reject any Social Security plan that requires deep benefit cuts or a massive increase in payroll taxes, and a failure to act would result in massive debt, deep benefit cuts and tax increases.

Mr. CONRAD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from South Carolina.

Mr. DEMINT. Mr. President, I am encouraged by the debate today that recognizes, as we consider our budget, that Social Security and its future is an important part of budget considerations. My amendment today recognizes that if we do nothing with Social Security it is to be the intent of some in this Chamber, that will only result in deep benefit cuts or massive increases in debt, and a failure to act now will result in not keeping our promise to today’s and tomorrow’s seniors.

We need to address the challenge of Social Security. It is a first promise we must keep. Those who suggest that we need to cut benefits on today’s seniors or even tomorrow’s workers should consider the promise we made to seniors.

Those who suggest that we do not have a problem with Social Security until the year 2042 do not recognize the facts that our own Social Security Administration is giving us year after year.

We can see clearly that the current level of payroll taxes that comes from our workers’ paychecks every month will fund Social Security as it is today only through the year 2018. After 2018, the amount of money that will be required in addition to payroll taxes increases dramatically through 2079, and continues to grow beyond that day.

I think it is inconceivable that in this Chamber today people are telling us to push this problem down to the next generation and not address it. What will happen under current law with Social Security, if we continue along the same road we are traveling today, is in 2018 we will begin to pull massive amounts of money from our defense, from our education system, from our road system, and many of the Nation’s priorities will have to move from the general fund to keep promised benefits to seniors. Beyond this point, we will continue to redeem the IOUs in the Social Security trust fund.

I want to get back to the trust fund in a minute because I am afraid those who still believe there is money in the trust fund probably still believe there is a Santa Claus. But if we use all the IOUs in this trust fund, what will happen in this year that is talked about on this floor today is that in 2042 under current Social Security law, benefits for tomorrow’s retirees will be cut by over 125 percent in order to be paid for by payroll taxes.

The call by our President and many of the leadership on the Republican side and address this issue today is to avoid this cut in benefits in the future. It is unfair to tell the young workers of today that if they continue to pay into their Social Security benefits through their payroll taxes they will get a Social Security benefit equal to those receiving it today. It is, frankly, not true.

I believe we can reform and save and strengthen our Social Security system without cutting benefits, and without raising payroll taxes. In fact, I believe it is the responsibility of this Senate, this Congress, and this President to do exactly that.

There are bills that have been proposed that will begin to say what people save, what people are putting into Social Security, not taking money out of Social Security but to save the money that is going into Social Security for tomorrow’s workers.

If we only today began the process of saving the current Social Security surplus—let me address that quickly—for the next 13 years or so, which this line here represents, this year it is like $100 billion of money going into Social Security that is being spent on other programs. If all we did until 2018 was to save the Social Security surplus within the Social Security system, we would create a stronger Social Security system that has real savings in it.

The problem with Social Security today is not that taxes are too low, or that benefits are too high, but the problem with Social Security is we have been taking money from workers and investing it in other things for years and we have been spending it on other things. Now the general fund owes the Social Security system well over $1 trillion.

The proposal by the President, and by many in the House and the Senate today, is to begin to save part of what people are putting into Social Security, allow that money to earn interest, compound interest, and to grow so that over a period of years we will transfer Social Security from a political promise with nothing but IOUs into a secure and a guaranteed retirement income for tomorrow’s seniors.

My amendment does something very simple. It recognizes that if we do what has been proposed by many today, that we ignore Social Security, that we push it to the next generation, it will result in either significant benefit cuts or massive, large increases in payroll taxes or huge transfers from our general fund, which will affect many of the Nation’s other priorities.

It is a simple request to ask my colleagues to recognize the problem.

I appreciate the President’s efforts to tell the American people we have a problem that needs to be solved. I appreciate his willingness to consider saving Social Security by saving payroll taxes that are being paid already by American workers.

I ask for consideration of this amendment. I believe it is important for the American people to know that doing nothing to address Social Security will hurt every American and will hurt our country as a whole.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 152

Mr. GRAHAM. Mr. President, I have an amendment I will send to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. GRAHAM] asked for the printing of an amendment numbered 152.

Mr. GRAHAM. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate regarding the urgent need for legislation to ensure the long term viability of the Social Security program.)

At the end of title V, insert the following:

SEC. 78. SENSE OF THE SENATE REGARDING SOCIAL SECURITY RESTRUCTURING.

(a) FINDINGS.—The Senate finds that—

(1) Social Security is the foundation of retirement income for most Americans;

(2) preserving and strengthening the long term viability of Social Security is a vital national priority and is essential for the retirement security of today’s working Americans, current and future retirees, and their families;

(3) Social Security faces significant fiscal and demographic pressures;

(4) the nonpartisan Office of the Chief Actuary at the Social Security Administration reports that—

(A) the number of workers paying taxes to support each Social Security beneficiary has dropped from 16.5 in 1960 to 3.3 in 2007;

(B) under current law, for every 100 workers that are paying Social Security taxes, only 2 workers would support each retiree, which would substantially increase the financial burden on American workers;

(C) without structural reform, the Social Security system, beginning in 2018, will pay out more in benefits than it will collect in taxes;

(D) without structural reform, the Social Security trust fund will be exhausted in 2042, and Social Security tax revenue in 2042 will only cover 73 percent of promised benefits, and will decrease to 68 percent by 2078;

(E) without structural reform, future Congresses may have to raise payroll taxes 50 percent over the next 75 years to pay full benefits on time, resulting in payroll tax rates of as much as 16.9 percent by 2042 and 18.3 percent by 2078;
the Budget Enforcement Act of 1990.

the disabled and survivors; and

ty net for vulnerable populations including

from any changes to Social Security bene-

vent and permanently sustainable Social Se-

tunity to enact legislation to achieve a sol-

women, minorities, and disabled persons

of the Senate that

out more in benefits than we collect in

raise revenue.

to fix it, where the accounts fit in,

for people who are disabled and poor

retirement security of today

tional priority and is essential for the re-

term viability of Social Security is a vital

It is true that we have collected more

the first time ever, we will pay more

in taxes; we promised a lot

grams and there is not money to pay

are about $40-something trillion in

the problems the country faces. There

Mr. CONRAD has come to the floor.

I see the Senator from North Dakota,

I do not like it. To Sen-

borrowed the money to operate the

and we put them in Treasury notes and

in taxes than we have paid in benefits,

the benefits will be paid. So to do noth-

who make as a body, Republican and Demo-

is an essential statement for us to

The fact is, there has been a huge de-

We need to adjust for it, and we

starting now, that we can afford to

and that are honest promises.

My goal, and I believe this about

that Social Security is the foundation of re-

Not only is this statement, it is an essential statement for us to

make as a body, Republican and Demo-

because half the seniors today who receive a Social Security check

would be in poverty if it were not for

Social Security check. So it is the

foundation of retirement income for

many Americans.

preserving and strengthening the long

term viability of Social Security is a vital

national priority and is essential for the re-

tirement security of today’s working Amer-

cans, current and future retirees, and their

families;

I think we can all agree on that. We

did 2 years ago. The word “crisis” or

“problem” or “vital national priority” is because for millions of Americans this is what you count on

when you retire.

Social Security faces significant fiscal and demographic pressures;

What does that mean? It means what

I said before. Senator CONRAD and I

agreed 2 years ago that in 1950 there

were 16½ workers for every retiree; in

2002, 3.3. And over time it comes down
to two workers per retiree because

families are smaller.

without structural reform, the Social

Security system, beginning in 2018, will pay

out more in benefits than it will collect in

taxes;

And that 2018 number varies: 6

months, 12 months. That is the right

timeframe. What does that mean for

average Americans? It means for the

first time in the history of this system, the

first time ever, we will pay more out in benefits than we collect in taxes.

It is true that we have collected more

taxes than we have paid in benefits, and

now, that is a true dummy and we

borrowed the money to operate the

Government. I do not like it. To Sen-

ator CONRAD’s credit, he does not like

it either. That has been the practice of

both parties here. But that is not the

reason Social Security is going to run

out of money.

If you took all the notes and re-
demed them and put the money back

in the system, you can sustain it for

a period of time, but by no means do you

fix the problem. So 2018 is an impor-
tant date. It is a historic date. It is the

first time in the history of this pro-

gram that we pay out more in benefits than we collect in taxes.

Now, what does that mean over time?

without structural reform, the Social

Security trust fund will be exhausted in 2042, and Social Security in 2032 will

only cover 73 percent of promised benefits, and will decrease to 68 percent by 2078.

Now, the definition of “bankruptcy”

we can argue about, but it is usually an

inability to pay the obligations when

they come due. In 2042, it is not bank-
r upt in terms of no money to be paid. In

2042, according to the Social Secu-

rity Administration, only 73 percent of

the benefits will be paid. So to do noth-

ing means that we start paying more

than we collect and eventually we have to
cut benefits across the board. And by

2078, 68 percent of the benefits are

able to be paid.

There are millions of Americans who

could not suffer that in their retire-

ment life because when these cuts

come by doing nothing, they come

across the board. They do not treat

somebody who makes $35,000 a diff-

erent way than the somebody who

is in the Senate who now makes

$160,000. I think we should try to avoid

that in a bipartisan way.

without structural reform, future Con-

gresses may have to raise payroll taxes 50

percent over the next 75 years to pay full

benefits on time, resulting in payroll tax

rates of as much as 16.9 percent by 2042 and

18.3 percent by 2078.

What that means is if you want to re-

store full benefits, you are going to

have to go and get more money because

from 2018 to 2042 you tap all the re-

serves. At 2042 you have a scheduled

benefit cut. To avoid it, you have to

have more money. And if you did it by raising payroll taxes, you

would have a massive tax increase in

payroll tax rates, which would make us

less competitive in a global economy

against China and everybody else be-

cause the payroll tax is a significant

problem for business. But it is the way

we fund Social Security, and we should

not raise it unless we absolutely have
to. To do nothing means it is going to be

raised in a dramatic fashion.

without structural reform, Social Secu-

rity’s total cash shortfall over the next

75 years is estimated to be more than

$25,000,000,000,000 in constant 2004 dollars or

$33,000,000,000 (in 2004 dollars) measured in

present value terms;

In English that means you need

$3.7 trillion of new money today to get this

ting thing solvent to 2075. And we are talk-

ing about trying to take 1 percent out

of the Medicare program. How do you

get $3.7 trillion of new money put in

the system today to keep Social Security

solvent for the next 75 years? I
Mr. CONRAD. Yes.
Mr. SARBANES. As I understand this chart, each column is a 5-year period; is that correct?
Mr. CONRAD. That is correct.
Mr. SARBANES. As I understand this chart, each column is a 5-year period; is that correct?
Mr. CONRAD. That is correct.
Mr. SARBANES. I know they make very conservative assumptions, but it seems to be clear that their projection is apart from reality. I have seen projections into the future that don’t parallel this assumption of the 1.8 percent. They go low in terms of the assumption of what growth is going to be as we move out into the future.
Mr. CONRAD. The reason for their very pessimistic forecast is they are looking at productivity growth and new entrants to the workforce as the two drivers of economic growth going forward. They have a very low number for new entrants into the workforce because of the demographic change. I think we can all understand that. But they also have a very low number of productivity growth for the next 75 years—1.6 percent a year of productivity growth. The fact is, productivity growth has been about double that in the last 5 years. So I, frankly, don’t believe the 75-year forecast. That doesn’t mean, by the way, that we don’t have a challenge. I want to be clear. It reduces the growth projections are wrong and they are overly pessimistic, it makes a substantial difference in how big the problem is. We
Mr. SARBANES. Will the Senator yield on that point?

Mr. CONRAD. Yes.

Mr. SARBANES. Not only how big the problem is today but I guess when the problem would occur, how soon it would be upon us.

Mr. CONRAD. Absolutely.

Mr. SARBANES. The better we do on the growth compared to projections.

Mr. CONRAD. It pushes the problem forward. For example, the Congressional Budget Office had told us that the trust fund would go cash negative in 2018. Now, they have updated their forecast to say, no, we won’t go cash negative until 2020, because economic growth has been stronger than the underlying forecast. A big reason for that is productivity growth has been much stronger than the underlying forecast. So I think it is very important that we be clear.

That is why the word “permanently” gives me heartburn in the sense that we are trying to forecast forevermore, and I just flatout don’t believe this forecast for 75 years. I want to make clear that we still have a challenge. We still need to address this problem because we have the demographic problem. That is one reason I have tried to talk to my colleagues about not just Social Security but Medicare and the budget deficit and Medicaid, because it is all these things coming together that really presents us with a challenge. It is real.

In any event, I don’t know what the Senator’s disposition is on the word “permanently,” if he would be willing to change that or maybe he is wedded to that. I don’t know.

Mr. GRAHAM. I want to stick with what we did 2 years ago. I will comment why, and I will wait until the Senator gets through.

Mr. CONRAD. I have tried to be clear on the problem I have with that one word. That said, because I support the thrust of this, I intend to support it. I want to make clear that I believe we should be looking toward 75-year solvency because I think the forecasts are stronger than the underlying forecast. I want to make clear that the word that is different is the fact that unlike the President’s plan, the Senator from South Carolina does not talk about borrowing those staggering sums of money because there are a lot of them that are a lot different than to the American people. They are being burdened enough with this debt now.

The Senator is also silent on privatization. My hat is off to him on that because, as we know, the Democrats are saying, if you want to privatize this system, the only way you are going to do that is to put us deeper in debt, and you are going to take an overhead of one-half of 1 percent and turn it into a 20-percent overhead. That is according to a University of Chicago study.

I so appreciate that the Senator does not mention borrowing because we are staggering in red ink, and he does not mention that. Is that it? It is because it is a nonstarter. When you privatize, you take a guaranteed benefit and turn it into a guaranteed gamble. I have nothing against Wall Street, I once worked on Wall Street, but I worked on Wall Street. Sometimes it works out great, but you cannot count on it, not at all. So why would we take a system that has worked perfectly and turn it into a gamble, except if we are somebody who wants to get some of that money away from the trust fund and into the hands of Wall Street.

I was in the House of Representatives in 1983, and I supported two icons in politics: Ronald Reagan, a Republican icon, and Tip O’Neill, a Democratic icon. They followed the spirit of the approach of Senator Graham, which is we get together because, guess what. The people are more important than the politics.

We have a President who is doing his round of townhall meetings all across this great Nation. I think it is great. He is working hard to sell his privatization plan, to tell people they better listen to him or else they are going to be going broke. But you know what the President did not count on? That the people understand what Social Security is.

So you can do a song and dance about privatization, you can talk about it in poetry, you can talk about an ownership society, but they are not fooled because this is what the people know: They pay a portion of their check over to the Social Security trust fund, and they are going to retire by net to see that. It is safe, and it is sure. It has never defaulted. It is there.

And guess what. If the head of household dies and there are kids, they get a benefit. A lot of my constituents understand this. My own husband’s father died when he was 10 years old. His mother had three kids. She was a stay-at-home mom. What would she do? Social Security. One of those kids, my husband’s brother, was mentally disabled. What would she do? Social Security.

I praise my friend for not talking about putting this country into deeper debt—were we not going to go there—and for not mentioning privatization because we are not going there. We are not going to take money out of the trust fund and give it to Wall Street. We are not going to have a Social Security system that has an overhead cost one-half of 1 percent and turn it into a 20-percent overhead and turn it into a gamble. We are not going to do it.

The people are smart. They get it. I do not care how many townhall meetings any of us has, this is one the people understand. I do not have my own townhall meetings. They get it, whether they are Republicans, Democrats, or Independents. They say Social Security works and why would we turn our back on it?

Watch out for the word “reform.” If it is truly reform, we should do it. But if it is repeal, which is what privatization is, we are not going to do it.

Again, with the same reservations that my friend has, I read this amendment. But I say, hey, talk, if we are not going to borrow. We can talk, if we are not going to privatize. We can talk, if we are not going to set up a two-tier system that hurts people. We can talk. And we can do what we did in the eighties. I was proud to stand with my President at that time, Ronald Reagan, and my Speaker at that time, Tip O’Neill, these icons who got behind a very simple plan.

And by the way, there are many civil ways. My friend has outlined one. We can stop to the plate on this challenge. Let’s stop using the word “crisis” because you are not fooling anybody. Mr. President, 22 years ago the Cato Institute put out a paper. They said: Make people think it is a crisis as soon as you can. If they think it is a crisis, they may accept the end of Social Security. Tell them it is an iceberg coming.

That is what the White House secret memo did. My DEPUTY READING OFFICER. The Senator’s time has expired.

Mrs. BOXER. Mr. President, I ask for 30 seconds, and then I will stop.
Mr. CONRAD. I yield 30 seconds to the Senator from California.

The PRESIDING OFFICER. The Senator is recognized for an additional 30 seconds.

Mr. BOXER. The people are smart. They know there are some people around here who have been trying to get rid of Social Security for decades. We cannot trust this matter to people who have wanted to do away with Social Security. The President himself said in 1978 that Social Security will go broke by 1988 unless it is privatized. He was wrong then; he is wrong now. He said in the year 2000 that people act as if Social Security is a Federal program or something. How do we trust someone who does not know Social Security is a Federal program where people pay their insurance, they pay for it, and they get back what they put in, plus a safety net?

I thank my colleague for yielding. I thank my friend, Senator GRAHAM, for offering us something that I think many of us will be able to vote for.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina has stated his inquiry.

Mr. LOTT. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Mississippi will state his inquiry.

Mr. LOTT. How is the time divided between now and 3 p.m.?

The PRESIDING OFFICER. The Senator from North Dakota has 3 minutes, and the Senator from South Carolina has 9 minutes.

Mr. GRAHAM. Mr. President, I yield to the Senator from Mississippi 4 minutes.

Mr. LOTT. I thank the Senator from South Carolina.

Mr. President, I wish to make some remarks before we start this series of votes at 3 o’clock. I understand there will be several stacked votes, four or five at a sitting, today.

First, I remind my colleagues that this is an important process. This is a process where we pass a budget resolution. This is a blueprint that we are trying to put in place of how we will proceed the rest of this year and even, depending on the enforcement mechanisms, next year. This is not written in stone. This is not the Ten Commandments. This is an outline. This is a blueprint. These are aggregate numbers.

I must say, ashamedly, for 2 of the last 3 years we did not have a budget. I think that is one reason we had such a mess at the end of the session last year. I admit, it was an election year, but we need to have some guidelines of what are we expected to do at Commerce, how can we do a better job at the Transportation Security Administration, how much money is going to be available, what is going to be available at the Finance Committee, what are we going to do with our entitlement programs and tax policy? One way or the other, what are the appropriators going to do?

I hope my colleagues will not get too overwrought and too much into the details. I do not like a lot of this budget proposal. I do not like a lot of what the President proposed, but I will have my opportunity to make my case and I will have my opportunity to vote for or against part of it. This is just the beginning. This is the kickoff.

By the way, it should be a bipartisan effort to get this budget resolution in place.

I think the committee has done a good job. First, it cuts the deficit in half within 5 years. We have been dealing with increased defense needs. We have been trying to figure out all the needs of homeland security. We had economic problems, and the deficit has gone up. Now it is time we begin to do something about it. We need to begin to control spending, and we need to be careful about our tax policy which can hurt the economy if we have raised taxes or if we cut taxes even in the wrong way. Taxes in a way that gives incentive for growth.

This budget starts in the right direction of reducing the deficit. It fully funds the President’s request for defense and homeland security. I guess we need that. If Social Security is going to be adequate in both areas, I would like to see some more in defense. And I do not like the mix in the President’s budget for defense. But that is not what we will decide here.

This bill maintains job-creating tax policy and it strengthens budget enforcement tools. Because we did not have a budget resolution last year, and 2 years before that, we have been losing our ability to impose some budget and fiscal restraint. This resolution does provide outlines that will take us into doing more, and doing a better job at education, energy, welfare, and pension policy, all of which we need to do.

I hope we will be careful. Let’s not get too hot with the rhetoric this week. When we get to Thursday night or Friday, we will pass a budget resolution and move forward.

With regard to the amendments, I was interested to see we got some amendments on Social Security. This may be good. Is this a sign that Democrats are going to join us and we are going to have a serious discussion? Senator LINDSEY GRAHAM has his neck against parts of it. This is just the beginning.

Mr. President, I yield this time.

The PRESIDING OFFICER. The Senator from South Carolina has been a pleasure to work with. He has been so philosophical differences. Maybe we can bridge those gaps. Senator LOTT was talking about my political career—and I hope it is secure, but I know Social Security is not. I am not worried about that now, because most people at home have appreciated the effort on my part, and others, to bring honesty to the table.

Why did I pick the word permanent? Why did we pick the word permanent? Everything Senator CONRAD said about budget forecasting is absolutely true. I think we need to understand that when we say words such as “permanent,” we are trying to give the American public reassurance that we, as Republicans and Democrats, are going to do the same thing with Social Security that happens when you buy life insurance or you buy car insurance or you buy fire insurance; that is, when policies are written, it is going to be there. You wouldn’t buy a policy from some company that could say: You are good for 10 years; After that, I am not so sure.

What we are trying to do is make a pledge and go to the American people that we will permanently take care of this program. We will make the adjustments as we need to, whenever they come and however they come. Our pledge is to make honest promises, keep those promises and I want to tell you why it is important.

Senator BOXER commented about her family situation. The good news is that Social Security has affected so many lives in a positive way. When I was 21, my mother died. My mother was 42. She was suffering Hodgkin’s disease. When I was 22, a year later, my father died. He was 69. We all thought he would go first, but you never know in life. We owned small businesses, a liquor store, restaurant, and pool hall. Everything I learned about politics I learned there, and it served me well.

But when my parents died, the businesses folded. I had a 13-year-old sister. We moved in with an aunt and uncle in the small town that they never made over $25,000. Survivor benefits mattered to my family. Without that money, it would have been tough for our family. So I know as well as anyone in this body that Social Security has a purpose. That is a good purpose. We ought to focus on making sure in the future, families like mine, who are worse off, have what we can afford to give them and what we promise to give them we will give them in a permanent fashion.

As we get there, I am open-minded. Senator LOTT mentioned, if you don’t want to go into deficit and set up accounts, I will work with you.
Mr. CONRAD. Give me a moment to get settled.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. CONRAD. Give me a moment to get settled.

The PRESIDING OFFICER. Without objection, the amendment is modified.

The amendment (No. 152), as modified, is as follows:

At the end of title V, insert the following:

SEC. 506. SENSE OF THE SENATE REGARDING SOCIAL SECURITY RESTRUCTURING.

(a) FINDINGS.—The Senate finds that—

(1) Social Security is the foundation of retirement income for most Americans;

(2) preserving and strengthening the long term viability of Social Security is a vital national priority and is essential for the retirement security of today’s working Americans, current and future retirees, and their families;

(3) Social Security faces significant fiscal and demographic pressures;

(4) the projection Office of the Chief Actuary at the Social Security Administration reports that—

(A) the number of workers paying taxes to support Social Security beneficiaries has dropped from 16.5 in 1950 to 3.3 in 2002;

(B) within a generation there will be only 2 workers to support each retiree, which will substantially increase the financial burden on American workers;

(C) without structural reform, the Social Security system, beginning in 2018, will pay out more in benefits than it will collect in taxes;

(D) without structural reform, the Social Security trust fund will be exhausted in 2042, and Social Security tax revenue in 2042 will only cover 73 percent of promised benefits, and will decrease to 68 percent by 2078;

(E) without structural reform, future Congresses to raise payroll taxes 90 percent over the next 75 years to pay full benefits on time, resulting in payroll tax rates of as much as 16.9 percent by 2042 and will decrease to 68 percent by 2078;

(F) without structural reform, Social Security’s total cash shortfall over the next 75 years is estimated to be $3,700,000,000,000 measured in present value terms; and

(G) absent structural reforms, spending on Social Security will increase from 4.3 percent of gross domestic product in 2004 to 6.6 percent in 2078;

(5) the Congressional Budget Office, the Government Accountability Office, the Congressional Research Service, the Chairman of the President’s Board, and the President’s Commission to Strengthen Social Security have all warned that failure to enact

fiscally responsible Social Security reform quickly will result in 1 or more of the following:

(A) Higher tax rates.

(B) Lower Social Security benefit levels.

(C) Increased Federal debt or less spending on other federal programs.

(b) SENIOR OF THE SENATE.—It is the sense of the Senate that—

(1) the President, the Congress, and the American people including seniors, workers, women, minorities, and disabled persons should work together at the earliest opportunity to enact legislation to achieve a solvent and permanently sustainable Social Security system;

(2) Social Security reform—

(A) must protect current and near retirees from any changes to Social Security benefits;

(B) must reduce the pressure on future taxpayers and on other budgetary priorities;

(C) must provide benefit levels that adequately reflect individual contributions to the Social Security system; and

(D) must preserve and strengthen the safety net for vulnerable populations including the disabled and survivors; and

(3) the Senate should honor section 13801 of the Budget Enforcement Act of 1990.

Mr. CONRAD. Mr. President, could you advise us on the time remaining on the two sides of the amendment?

The PRESIDING OFFICER. The Senator from North Dakota has 3 minutes. The Senator from South Carolina has 1 minute.

Mr. CONRAD. If the Chair would advise me at the end of 2 minutes, I would be appreciative.

Let me again say to Senator GRAHAM, I appreciate this effort. I appreciate the amendment he has offered. I have already indicated I intend to support this amendment because I think it lays out in some reasonable way the challenge we face.

On this question of permanency, I agree with him. We certainly do not want a Social Security solution that leaves people in doubt that they are actually going to get their Social Security benefits. At the same time, when we use the word “permanently,” I don’t want to have people left with the misunderstanding that the President’s forecast forevermore. The reason I do not is because that might lead to improper conclusions about what we are doing.

These long-term forecasts I have seen over and over are a problem. Let me say why that is the case. The underlying forecast by the Social Security trust fund is that economic growth going forward is going to be 1.8 percent a year. That is the underlying forecast.

Every year for the next 75 years, they are saying the economy is only going to grow at 1.8 percent.

If we look back over the last 55 years, these green bars show how much the economy has actually grown, and in no time—at no time over the last 55 years, in 5-year increments, have we had economic growth that was as low as their forecast of how much the economy is going to grow over the next 75 years.

So I have grave doubts about the accuracy of this forecast.

The PRESIDING OFFICER. The Senator has 1 minute remaining.
The amendment (No. 152), as modified, was agreed to.

Mr. GREGG. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 144

The PRESIDING OFFICER. There are now 2 minutes evenly divided before a vote in relation to the Conrad amendment.

Who yields time?

The Senator from North Dakota.

Mr. CONRAD. Mr. President, the amendment before us is very simple. It says: Social Security first. Very simply, the amendment says: No new mandatory spending or tax cuts until Social Security is solvent, unless the new spending or the new tax cuts are paid for or they can get a supermajority vote here in the Senate.

It is a matter of priorities. This says: Social Security first. No new spending, no new tax cuts until Social Security is solvent, unless those amendments are paid for or they get a supermajority vote here in the Chamber.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Twelve seconds to the Senator from Michigan.

Mr. CONRAD. Mr. President, I yield 12 seconds to the Senator from Michigan.

Ms. STABENOW. Mr. President, I am very proud to be joining my colleagues on this amendment. For all of us who have talked about Social Security, this is the way to put it first in the budget process. This is the way to secure it for 75 years.

The PRESIDING OFFICER. The Senator’s time has expired.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, this amendment has a lot of problems. But three of the major ones are, first, it creates a precedent of mixing the general fund with the Social Security fund, which is a big mistake. Second, it treats entitlements entirely different than it treats tax cuts, which is a big mistake. And third, it is brought forward by a party which says there is no Social Security problem and, therefore, we will never have a tax cut because they will not admit there is a problem.

It is essentially a stalking-horse for doing nothing on the issue of relieving American taxpayers of the burden which they have under the present tax system at any time in the future.

As we know, we need major tax reform. So it would be a huge mistake to put this point of order in place.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The question is on agreeing to amendment No. 144.

The clerk will call the roll.

The result was announced—yeas 45, nays 55, as follows:

[Rollcall Vote No. 47 Leg.]

YEAS—45

Akaka Durbin Lincoln
Baucus Feingold Mikulski
Bayh Feinstein Murray
Biden Harkin Nelson (FL)
Bingaman Inouye Nelson (NE)
Boxer Jeffords Obama
Byrd Johnson Pryor
Cantwell Kennedy Reid
Carper Kerry Reid
Clinton Kohl Rockefeller
Conrad Landrieu Salazar
Curnie Lautenberg Saries
Dayton Leahy Schumer
Dodd Levin Stabenow
Dorgan Lugar Wyden

NAYS—55

Alexander DeWine McCain
Allard DoLE Markowski
Allen Domenici Roberts
Bennett Enns Santorum
Bingaman Enzi Sessions
Brownback Fawcett Simpson
Bunning Graham Shelby
Burns Grassley Smith
Burr Graham Snow
Chafee Hagel Stevens
Chambliss Hatch Stevens
Coburn Hatch Sununu
Cochran Hutchison Talent
Collin Kirk Thuane
Cornyn Lott Vitter
Craig Lugar Voinovich
Crapo Martinez Warner
DeMint McCaIN

AMENDMENT NO. 150

The PRESIDING OFFICER. There are 2 minutes equally divided with a vote on the DeMint amendment No. 150. Who yields time?

Mr. GREGG. Mr. President, I yield time to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DeMINT. Mr. President, my amendment expresses the sense of the Senate that if we do nothing as a body to address the Social Security issue, it will result in massive debt, benefit cuts for future retirees, as well as large payroll tax increases. The big question today, and the difference in my amendment and another amendment, is whether we need to address it now or push this off until 2042.

It is clear by any measure, if we look at what the Social Security actuaries are saying, that in 2018 we will begin to move billions of dollars from the general fund to support Social Security benefits.

The time to act for Social Security change and reform to save and strengthen Social Security is now, and we can do that best by beginning to save the Social Security surplus and to save part of what people are putting into the Social Security system.

I encourage my colleagues to support my amendment, which simply says if we do nothing, the American people will pay for generations. This amendment is deciding whether we are proposing something for the next election or the next generation.

The PRESIDING OFFICER. The Senator’s time has expired.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, I yield time to myself.

I would support the amendment of the Senator from South Carolina if the amendment did what the Senator just described. That is, what the amendment does. It says, in pertinent part:

It is the sense of the Senate that Congress should reject any Social Security plan that requires deep benefit cuts or massive increase in debt.

I agree with that absolutely. Then it goes on to say:

. . . and a failure to act would result in massive debt, deep benefit cuts and tax increases.

That part of it is just inaccurate and harmful. Why? When we get to 2052, according to the Congressional Budget Office, and Social Security can only meet 78 percent of its obligations, the result is deep benefit cuts. There are no tax increases that are triggered by the law at that point. What happens is deep benefit cuts.

I would just say and urge my colleagues, I think you have to oppose this amendment because, frankly, it states something that is just not accurate.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GREGG. I ask for the yeas and nays.
The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU) is necessarily absent.

The PRESIDING OFFICER. Is there any other Senator in the Chamber desiring to vote?

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 48 Leg.]

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NOT VOTING—1

Landrieu

The amendment (No. 150) was agreed to.

Mr. GREGG. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 145

The PRESIDING OFFICER. There are now 2 minutes evenly divided before a vote in relation to the amendment of the senior Senator from Florida.

Mr. CONRAD. Mr. President, we had the announcement of the vote as 56 and 46; from the math I learned in North Dakota, that adds up to 102.

The PRESIDING OFFICER. Forty-three.

Mr. CONRAD. Thank you very much.

The PRESIDING OFFICER. Who yields time?

Mr. NELSON of Florida. Mr. President, this is a sense of the Senate on the same subject and I don’t see how anybody can disagree with it.

It is the sense of the Senate that Congress should reject any Social Security plan that requires deep benefit cuts or a massive increase in debt, and a failure to act by 2042 would result in deep benefit cuts; therefore Congress should take action . . .

This does not say wait until 2042. It says “a failure to act by 2042 would result in deep benefit cuts” which is exactly what the Social Security Administration and CBO have told us; that if we do not act by 2042 they are going to pay only 73 cents on the dollar. CBO says that date is 10 years later, 2052. Out of an abundance of caution, I have stated the earlier date.

Mr. GREGG. Mr. President, although this amendment certainly on its face could be deemed to have some reasonable points, it appears to be missing a fairly large chunk of the issue. It says there should not be any required deep benefit cuts. I think we would all like to accomplish that. It says there shouldn’t be any massive increase in debt. We certainly all would want to require that. But it doesn’t mention taxes. As a practical matter, the implication is that taxes could be increased rather dramatically.

By silence on that issue, I think basically the other side is saying with this amendment we are ready to raise taxes a lot, especially on younger, working Americans, which would be a serious mistake.

Therefore, I suggest we vote against this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant bill clerk called the roll.

The amendment (No. 145) was rejected.

[Rollcall Vote No. 49 Leg.]
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Recently, there has been a great deal of press attention regarding the fact that the administration has proposed to push Amtrak into bankruptcy. Indeed, page 243 of the President's budget is quite explicit regarding the administration's plan.

It states that, "with no subsidies, Amtrak would quickly enter bankruptcy."

Transportation Secretary Norman Mineta has recently held a spate of press conferences and stated that President Bush is a strong supporter of passenger rail service in our country. Well, all I can say is that the President has found a very strange way to show his support. By eliminating the annual Federal subsidy to Amtrak in its entirety, President Bush has threatened to leave 25 million passengers standing at the platform. He is threatening to push those 25 million passengers onto our already congested highways and runways and he is threatening to isolate millions of people in the nation who do not have air service and are now being threatened with being eliminated from the national railroad map.

The budget resolution before us assumes that overall domestic discretionary funding will be at the level requested by the President. As such, it also presumes enactment of the President's budget proposals for transportation, including the complete elimination of Amtrak.

This amendment would increase the funding for function 400, the transportation function, by $1.04 billion in fiscal year 2006. When combined with the $360 million that the President has requested for the continued operation of commuter services in the event of Amtrak's termination, my amendment would bring total rail passenger funding up to $1.4 billion in 2006. My amendment would increase the cap over discretionary funding to commensurate $1.04 billion. The amendment would be completely offset by an increase in revenues through the closing of corporate tax loopholes.

Some of my colleagues may be wondering how I arrived at the funding figure of $1.4 billion for Amtrak for 2006. My answer is as follows: When President Bush submitted his budget request for fiscal year 2005, has asked for only $900 million for 2005. But in that same budget he recognized that funding should grow to $1.4 billion in 2006 and beyond. So, my proposal to bring Amtrak to $1.4 billion in 2006 is precisely the same number that President Bush had budgeted for Amtrak for just 1 year ago.

This is an important point because certain Senators might be of the misimpression that enacting President Bush's reform bill for Amtrak might result in actual budgetary savings. In fact, the administration has said that if Congress does enact its reform bill, it would be inclined to request far more funding for Amtrak than the railroad currently receives. In an interview with National Public Radio recently, Secretary Mineta said that the administration would be inclined to request between $1.5 and $2 billion for Amtrak.

Now, that funding range compares to the $1.2 billion we provided in fiscal year 2005. The budget resolution that we are currently debating includes none of that increase for a reformed Amtrak.

Senator Gregg, the distinguished chairman of the Budget Committee, has not proposed a defensible policy. He is threatening to ignore the costs of the Iraq war and instead request this funding through a supplemental appropriations bill. Senator Gregg, to his credit, said that his budget would not engage in such an indefensible policy. We know that we are going to have to pay for the ongoing conflict in Iraq. It was the Bush administration's agenda to ignore the costs of the Iraq war and instead request this funding through a supplemental appropriations bill. So, the choice before the Senate could not be clearer. If Senators really desire all Amtrak service to come to an immediate and grinding halt for lack of a Federal subsidy in 2006, vote against my amendment. But, if Senators want to pass a realistic budget that recognizes that, with or without reform legislation, continuing Amtrak service will require continued Federal funding, I urge you to support this amendment. Senators should vote for my amendment.

The elimination of Amtrak's subsidy is not a recipe for a streamlined railroad. It is not a recipe for a more efficient railroad. It is a recipe for a dead railroad.

Across the Northeast corridor—the busiest urban transportation corridor in the Nation—the elimination of Amtrak's premier service would be a transportation disaster. Amtrak serves 130 million passengers over the Northeast corridor. The highways along this corridor— principally Interstate 95—and the runways along this corridor are already congested beyond words. Imagine for a moment the congestion that will result when an additional 13 million Americans are pushed onto those highways and runways. You are talking about both a transportation and economic disaster.

Elimination of Amtrak service would have disastrous results in both rural and urban America. There are over 120 communities all across the Nation that receive regularly scheduled Amtrak service but no air service whatsoever.
Several of these communities have seen their bus service eliminated as a result of a national shrinking of the Greyhound network. Amtrak’s termination would result in dozens of these communities across the nation being isolated from the national transportation network.

Senators should not be fooled by the provision in the President’s budget that calls for $360 million for commuter rail services in the Northeast corridor. These funds cannot be used as a matter of law to maintain Amtrak services on the Northeast corridor. They can only be used to maintain local commuter rail services like New Jersey Transit or the Southeast Pennsylvania Transportation Authority that operate over the Northeast corridor. And those funds can only be used as a matter of law to maintain those services and they can only be used in the event that Amtrak ceases operation. Not one penny of the $360 million for this purpose can be used to maintain Amtrak service for the 13 million passengers that depend on that service.

President Bush has proposed a series of so-called “reforms” for Amtrak that principally take the form of passing Amtrak’s costs onto the States. These proposals come on top of other proposals in the President’s budget, such as so-called reforms in the Medicaid Program that are designed to push additional program costs onto the States. As Senators are aware, the Nation’s Governors traveled to Washington, DC, earlier this month. Many of those Governors visited their congressional delegations. I doubt that even one of them spoke favorably about the President’s plans to push Amtrak’s costs onto the States. But whether you agree with President Bush’s Amtrak reform proposals or not, I would suggest that all Senators should support this amendment. There may be several disagreements over the merits of these so-called reform proposals. But one thing that is beyond question is that you cannot reform a dead railroad. And that is what the budget before us calls for—a dead, dead railroad.

We should provide some stability and some peace of mind to the 25 million passengers who use Amtrak every year. We should provide some stability and peace of mind to the 20,000 Amtrak employees spread across the Nation, so that they will know that they will have employment at the end of the current year. We should provide some stability to Amtrak’s finances so that the House and the Senate and the administration can have some meaningful debate over whether Amtrak should be reformed without the distraction of the near-term risk of the railroad lapsing into bankruptcy.

I encourage all Members to vote for my amendment.

Mr. President, I ask unanimous consent that the following Senators be added as original cosponsors to those names that I have already read: Senators KOHL, KENNEDY, JEFFORDS, and LIEBERMAN.

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

AMENDMENT NO. 158

Mr. BYRD. Mr. President, I send to the desk the amendment to which I have already referred.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from West Virginia (Mr. BYRD), the Senator from New York (Mr. CORZINE), the Senator from Michigan (Mr. SPECTER), Mr. ROCKEFELLER, Mrs. MURRAY, Mr. CARPER, Mr. SCHUMER, Mr. DURBIN, Mr. DORGAN, Mr. LUTENBERG, Mr. KERRY, Mr. KOHL, Mr. KENNEDY, Mr. JEFFORDS, Mr. LIEBERMAN, and Mr. OBAMA, proposes an amendment numbered 158.

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

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

The amendment is as follows:

(Purpose: To reject the President’s proposal to eliminate Amtrak and to provide adequate funding of $1.4 billion in fiscal year 2006 to maintain intercity passenger rail service to offset closing corporate tax loopholes)

On page 3, line 19, increase the amount by $1,040,000,000.

On page 3, line 19, increase the amount by $1,040,000,000.

On page 4, line 7, increase the amount by $1,040,000,000.

On page 4, line 16, increase the amount by $1,040,000,000.

On page 15, line 16, increase the amount by $1,040,000,000.

On page 15, line 16, increase the amount by $1,040,000,000.

On page 48, line 6, increase the amount by $1,040,000,000.

On page 48, line 7, increase the amount by $1,040,000,000.

Mr. BYRD. Mr. President, the following expense was created in the President’s budget and this budget resolution does not provide a penny for it.

Mrs. CLINTON, Mr. President, thank you once again, to my friend from West Virginia for offering this important amendment.

It is somewhat hard to believe we have to offer this amendment. There should not be a debate about the importance of Amtrak and national passenger rail service, but there is, so once again we are making the case and asking the support of our colleagues in this body on behalf of Amtrak.

As Senator BYRD pointed out, the President’s budget and this budget resolution does not provide a penny for the continued operation of Amtrak. It provides just enough money to shut the trains down, but there is very little thought given as to the consequences of shutting the trains down, of ending the services that Amtrak offers, and the impact on the regional rail services that, in addition to Amtrak, provide so much support for our national transportation system.

I know there are members of the administration and even of the Congress arguing that Amtrak should not receive another penny because it is not self-sufficient. I have to respectfully ask, are the airlines self-sufficient? We keep bailing them out. Are the highway systems self-sufficient? We continue to support maintenance of highways, transit systems, buses. No form of transportation is self-sufficient.

We have a fundamental decision to make and to make which apparently the administration is making by this budget request that we give up on national rail for passenger travel. That is a very shortsighted position and a critical mistake.

I ask my colleagues to think back to the days after September 11. Our airports were shut down. The bridges going in and out of Manhattan were shut down. The only way in and out of New York was Amtrak. If we could not have moved through the Amtrak system in and out of Manhattan, we would not have had any contact, any continuing communication, any movement of people.

I am amazed we have such a short memory. I am also amazed we do not recognize the benefits that Amtrak offers in providing this service to so many commuters and passengers. In fiscal year 2004 Amtrak broke the 25 million passenger record. That was an extraordinary accomplishment. I give David Gunn and the leadership team he brought in, which is turning Amtrak around, tremendous credit. The record of 25 million was a million greater than 2003, which itself was a record.

So we are making progress in running a railroad that meets people’s needs. The new Acela trains are a great gift, moving us back and forth between Washington and New York in a little over 3 hours. I obviously have a very personal interest in this because New Yorkers rely on rail more than perhaps any other citizens in our country. Penn Station on 34th street in Manhattan is the busiest passenger station in our country, servicing almost 9 million passengers who boarded Amtrak trains there in 2004. Our Albany Rensselaer Station is the 10th busiest in the country. Much of our upstate economy depends on Amtrak. We also have the busiest commuter rail system in the country. I have to point out we are putting our commuter rail system on the path to obliteration as well as Amtrak because our commuter rails operate on Amtrak rail lines. They use Amtrak tracks and Amtrak does not use Amtrak tracks and the maintenance of the intercity service and commuter rail service would not be able to operate if they did not share expenses, share maintenance, with Amtrak. So we are not just writing the
death warrant for Amtrak but also writing the death warrant for commuter rail.

Why are we doing this? Some are ideologically opposed to passenger rail. We might as well be ideologically opposed to cars. We say if you cannot make a profit you go out of business. In many instances it is the combination of Government funding and passenger use that works around the world. Why do we think we can be different?

The effect of this policy the administration has embedded in its budget will be so far reaching that I don’t think people have stopped and considered the impact on the economy, the impact on our transportation infrastructure.

I was talking to one of the people who is quite an expert in railroads who said if you take Amtrak off the tracks, Amtrak is no longer responsible, the burden of keeping the tracks will fall completely on the freight companies. The freight companies have done a great job of keeping up their tracks and we will have all these bottlenecks that have a ripple effect through the economy, the likes of which did not contemplate.

This has huge effects on our economy, on our homeland security. To remove this necessary form of transportation at a time when we face all of these dangers and risks is extremely shortsighted.

What is going to happen with our airports and our highways? Amtrak right now accounts for 50 percent of the Washington, DC-New York air and rail market and 35 percent of the Boston-New York travel market. Are we going to put all of these passengers into our airports which, as anyone who has traveled lately knows, are pretty chaotic to start with? Are we going to add them to the highways and to the congestion? What are we thinking about? I wish I had a deep breath.

The administration says it would like to reform Amtrak. I am very impressed with the steps David Gunn has taken. If the idea of reform is transferring the costs for funding Amtrak on to the States, that is a nonstarter. We will be burdening the States with expenses they cannot meet now. We will be thinking of cutting Medicaid, cutting housing. We will cut community development block grants and then eliminate housing. We will cut community grants and then eliminate community grants. We will cut community block grants and then eliminate community block grants. We will eliminate the runway fees for airports which, as anyone who has traveled lately knows, are pretty chaotic to start with. We are going to add them to the highways and to the congestion? What are we thinking about? I wish I had a deep breath.

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I hope we will take the moment to support Senator Byrd’s amendment. It is the right approach to take. I am the first to say if we can do some smart reforms in the context of keeping the railroad operating, let’s do it. But what are the smart reforms? David Gunn has said if he can have some money for capital investment, we would be able to have a good job of keeping up their tracks and we will have all these bottlenecks that have a ripple effect through the economy, the likes of which did not contemplate.

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The Senator from New York spoke about what happened after 9/11, and she said Amtrak was the only way out of Manhattan. As the bridges were closed, you could not drive out. The airports were closed. You could not fly out. You could not walk out. The only way New York City was connected—Manhattan Island, at least—with the rest of the country was by train. And it would be a national tragedy of the first order if Amtrak were to disappear.

We are thinking about cutting Medicaid, cutting community block grants. We are not thinking about cutting Amtrak. Why do we think we can be different? The Senator from New York said if he can have some money for capital investment, we would be able to have a good job of keeping up their tracks and we will have all these bottlenecks that have a ripple effect through the economy, the likes of which did not contemplate.

What is going to happen with our air terminals, with the number of people who got off the train that had come into Utah on a Thursday night and there was not one single passenger? That terminal, and I was a little bit struck by how shabby it had become through the years. It was not an alternative time because the timing of the trains coming through, 2:30 in the morning, and that this was its only stop, this was the only time. There was not an alternative time because the timing of the trains coming through, 2:30 in the morning, was the only time this train came through Utah.

We went down to the depot or the terminal, and I was a little bit struck by how shabby it had become through the years. But let me take you to another part of the Amtrak system that does not enjoy the same kind of patronage as the Acela train that goes high speed from Washington to New York City, and which I have taken with great satisfaction. Let me take you to my home State of Utah. We have Amtrak service in two hands.

On one occasion, a family friend notified me and her that she was coming to Salt Lake City on Amtrak and would we meet her train. And we said: ‘Well, of course. Why, we will meet her train.’ We were a little less happy when we discovered that the train was arriving at 2:30 in the morning, and that this was its only stop, this was the only time. There was not an alternative time because the timing of the trains coming through, 2:30 in the morning, was the only time this train came through Utah.

There are fewer than 100 people a week that come into that station in Salt Lake. After 9/11, there would have been no disruption whatsoever of people traveling in and out of Utah if Amtrak were not there. That terminal we went to that night was somewhat old and dilapidated and a bit shabby, but is now refurbished, lovely, big, and disconnected from Amtrak.

The current Amtrak terminal is in a Quonset hut because the real estate on which the old terminal sat was too valuable and it is part of a shopping center and real estate development activity. And when that train comes in to discharge its two or three passengers per night—and it is not every night; the schedule only comes through three times a week—the passengers who get off get off in a Quonset hut. There is no taxi service there. It is in a part of town that is not easy to walk to and from. It has fallen into disuse not because the administration has not been subsidizing it enough, not because Amtrak has not had a big enough capital budget, but because rail passenger service across very large numbers of miles between cities that do not naturally connect to each other simply does not make sense.
Amtrak in the Northeast corridor makes all the sense in the world, and we must do everything we can to make sure we preserve it. In the Cascades there is Amtrak service that makes sense. In California there is Amtrak service that makes sense. There are millions of people living on the Pacific Coast who would like to travel that way any time they please. I am sure there are many Members of the Senate here who have no memory of it at all.

I have great memories of rail travel: full trains, dining rooms with crisp, white linen on them, and silver tea sets. When the Governor looked at the reality of creating a single National Railroad Passenger Corporation. That is the focus on the need to maintain rail passenger service in the corridor where it makes all the sense in the world, and to keep the kind of service that has been described here on the Senate floor.

Now, I have given this speech before in committee—this is the first time I have done it on the floor—and every time I do, I get a flurry of letters. They are all from the same people. And they all object. Their objections all come down to nostalgia for the rail service that we all knew when we were young—or at least knew when we were young. I am sure there are many Members of the Senate here who have no memory of it at all.

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self-sufficient—rail passenger service on the eastern corridor of the United States. The question is: Will we be able to maintain a national rail passenger system? Is it worthy to do so? I believe the answer is yes. Senator BYRD believes the answer is yes.

We have a train that comes through my part of the country. It goes from Chicago, up to Minneapolis, over to Fargo, up north all the way to Seattle, down to Portland. It is called the Empire Builder. It has been that, we have decades. When it comes through the State of North Dakota, it picks up nearly 90,000 people in a year. For them, traveling on the Empire Builder is not nostalgia, it is necessary. It is one part of a transportation system in a rural State that doesn’t have very many transportation systems.

We don’t have the kind of aviation service, commercial air service, they have in Chicago, for example. We don’t have the bus service they have in New York. But the fact is, we have Amtrak coming through our part of the country as part of a national rail passenger service. I don’t object at all to subsidizing it. Every other country in the world that has rail passenger service subsidizes it. In fact, we subsidize every other kind of transportation service in this country, so why all of a sudden do we decide that somehow rail passenger service is unworthy of our support?

My colleague from Utah used the term ‘mass transit’ this morning when describing Amtrak. Amtrak is not mass transit. I support mass transit, and we don’t have any in North Dakota. We don’t have a subway in Bismarck or in Fargo, or light rail. I support mass transit because I believe we ought to do that for the major cities of our country. This is not mass transit. Amtrak is rail passenger service that has been, in my judgment, spectacularly successful. I believe that, and always had people who want to disband it, take it apart, get rid of it. Why? Because they know the cost of everything and the value of nothing. This service has great value for our country. The relatively small subsidy that is required to retain a national rail passenger system is dwarfed by the subsidies in many other areas of transportation.

I understand why some would apply a profitability test to everything. I said to my colleague from Utah this morning that my guess is when they built the four-lane interstate highway system, somebody might have said there is a segment that we question: from Dickinson, ND, to Beach, ND, through the western badlands of North Dakota. There are not many people living there, and there is probably not so much traffic on that four-lane interstate highway. Or perhaps from Beach, ND, to Miller City, MT, or Billings, MT, I don’t have any traffic out there, not enough people living there to justify putting in four lanes. You know something? The country understood this was all about bridges—a bridge from here to there. So, too, is Amtrak and the Empire Builder a bridge from here to there. We understand that it stops in my State because it goes from Chicago to Seattle. It picks up nearly 90,000 people, including retired people, in the State of North Dakota.

Look, I think this is a bargain by any stretch. I support the Byrd amendment because I believe it is the right thing for this country to do. It is an important choice. It is always, with respect to this budget when it comes to the floor of the Senate, about choices. I am absolutely surprised at some of the choices that are made and then very surprised at some of the issues other people think are unworthy for this country’s enterprise.

Rail passenger service is a service that I think is important to our country. If one decides that this is all about profit and loss and not about a national transportation system that includes people more than I understand. We will have locomotives, we will have electric trains, we will have Acela trains running from Boston to Florida, and God bless them. We will wave at them as they go by, and good for all that. But this country can, will, and should do much better and did do much better a couple of decades ago by creating a system that works. I have ridden Amtrak many times, and I like riding Amtrak. I hope that when this settles, we will have decided, once again, as a Congress that having a national rail passenger system is worthy.

I know the President believes differently. I had the president and CEO of Amtrak come into my office. I wanted to talk with him about what was happening and what was necessary. He made it plain—and I understood it before he came in—that if the President’s recommendation is adopted, there will be a segment no national rail passenger system. Amtrak, as we know it, will not exist.

That is a choice that perhaps the majority of Congress might want to make. I hope they will not choose to make that choice, but that is what the Byrd amendment is about. That is why it is on the floor of the Senate, and that is why it is important.

I came over to speak on this amendment because I believe an important part of our transportation system, the ability of people to move around and to get around, to have access. And one part of that having a national rail passenger system that works, yes, it requires a subsidy, and I believe that is appropriate. I am perfectly willing to pay as every other industrialized country has done, and that is subsidize rail passenger service. It is not a large subsidy relative to everything else we do in the Chamber of the Senate.

My hope is, as I said, when the dust settles, we will decide to reject the recommendations of the President and this Budget Committee and continue to fund the national rail passenger system.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator yields time.

Mr. BYRD. Mr. President, I thank the distinguished Senator from North Dakota for his very timely, succinct, and persuasive statement. I thank him very much for his support of this amendment.

I believe Mr. CORZINE wishes to have some time yielded. How much time does the Senator desire?

Mr. CORZINE. Mr. President, I think it should be about 7 or 8 minutes at most.

Mr. BYRD. Mr. President, I yield 8 minutes to the very able Senator and look forward to hearing his statement.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CORZINE. Mr. President, I congratulate the Senator from West Virginia for his strong leadership in doing something that makes a statement about an issue that holds our Nation together. I can recall that it holds New Jersey together. I respect the Senator from Utah recognizing this is a vital economic, environmental, national defense—almost any kind of variable one wants to describe—element of New Jersey’s overall transportation system, but I think the point that needs to be made is that this is really true nationally. Senator BYRD’s $1.4 billion in funding for Amtrak puts it in a position to continue to be that asset. I wish to speak about that a little bit.

All of us know that the transportation section of the budget that is before us mirrors President Bush’s proposal, a plan that, on its surface, intends to shut down Amtrak. By the way, it does not do that with a lot of finesse. It does that across the board, whether it is in places where people might argue it is absolutely essential to run, in the Northeast corridor, as well as in those places where maybe it is nostalgia that is driving it. I would argue that it is in those areas where we are trying to unite us as a nation.

Without the funding provided in the Byrd amendment, Amtrak will enter into bankruptcy, and it will be through the bankruptcy actions that reform is taken as opposed to where it should be, which is in the committees on the Hill, in the Congress.

Federal funding for Amtrak provides roughly one-third of what is needed to operate that national transportation system each year. Not all of it—one-third. It includes addressing pressing capital needs. The rest comes from ticket revenues and other sources, such as real estate. Without Federal funding, Amtrak will not be able to operate, and we will be into bankruptcy reform under that format. I do not think that is the way to go. I do not think, if the American people say it in such a catastrophic mood, they would support it. I hope the Senate will support the Byrd amendment because it will make a huge difference.
No other element of our transportation system stands without subsidization. None. Zero. We are now debating, what is it, a $384 billion—a lot of us like to say it is a lot higher—subsidization of other elements of our transportation system. I am all for that. Highways, mass transit. But this is an important linkage for our economy, it is an important ingredient in protecting our environment, and it is essential to pulling together the economic strength of this country. And in times of great stress, as we saw on 9/11, it is also one of those backstops, one of those redundancies we are now building in all other kinds of places in our economy. We need to take that and drive it.

I will say there is much overlap in the Amtrak system with a whole host of other commuter agencies and activities, other mass transit systems. I give you an example. In New Jersey, there are about 4 million people who board Amtrak every year. Actually we are wrong on that number. It is slightly higher. But there are over 100,000 riders of New Jersey Transit every day who use the same rail. Every day when people go to work in our financial services in New York or whether they go to the various elements of a very diversified economy in Philadelphia, they get on New Jersey Transit trains that actually use the same railway.

If Amtrak were to go bankrupt, we are going to be sitting with not mass transit but mass transit. We are going to have a huge, incredible pouring jamming up two of our major cities in this country and all of that great corridor, the State of New Jersey.

It is just incomprehensible that we do not understand how we have to take a holistic view of how our transportation system works, and putting it at risk is just not a credible way to go about reform. That is why I am so pleased Senator BYRD has taken on this leadership role with regard to protecting the funding that will protect the 25 million passengers who ride Amtrak every year and gosh knows how many people who ride these other transportation systems that feed into it or parallel it or are on top of the Amtrak system. We really ought to think about an organized view about how we reform Amtrak as opposed to the blunderbuss approach of putting it into bankruptcy and using that as a basis of reform.

There is also another problem with this approach, in my view. The President could not recognize that from his days of trying to lead a State. Transferring problems from Washington to our States where we already have huge budget problems does not seem to be an appropriate format for how we are going to resolve issues. New Jersey Transit, which I already talked about, such as the Amtrak system is for its functioning, is going to get funding one way or the other. Otherwise, we are going to have a highway system that is completely clogged. The quality of life of commuters will deteriorate enormously.

So what is going to happen if this funding for Amtrak does not come through? Jersey transit fares are going to go up. The State budgets that are already deeply in debt are going to have additional burdens imposed upon them. This is just one more shifting of responsibilities from the Federal Government here in Washington, decisions that we take, and pushing them off to State and local governments—in this case, the State government.

We need to get realistic about the importance of this transportation system, the importance of making sure that we fund it properly so we can continue to expand the number of riders that are at this point 25 million—that is up a million, year over year, and a similar amount the year before—and make sure that intercity rail service has the strength and the vitality that will help grow our economy and keep it thriving and healthy as we go forward. The Byrd amendment would provide the funding necessary to keep Amtrak out of bankruptcy, keep our economy flowing, keep our Nation tied together.

By the way, I grew up in one of those small towns in the Midwest where one of those Wabash Cannonballs came and people got on those trains and rode to St. Louis and Indianapolis and another train that went to Chicago. It was an important element in keeping our Nation tied together. Those of us who live in New Jersey need to understand that there is an important networking that needs to occur in this Nation.

I think this Byrd amendment makes that statement about us being one Nation. It is important for the economics of many of our communities where there are densely populated areas. It is fundamental to our transportation system, the economic system, the environmental system. Let me say I think it is important for national security.

I urge my colleagues to support the Byrd amendment and let’s move forward with real reform. Let’s not do it through bankruptcy.

I yield the floor.

Mr. GREGG. Mr. President, I ask unanimous consent that there be 1½ hours for debate on the Amtrak train that we are going to now be putting on the Senate calendar. With the understanding that the debate began at 5:10, with 60 minutes under the control of the minority and 30 minutes allocated to the majority; provided further that following that debate the Senate proceed to the consideration of the ANWR amendment to be offered by Senator REID, or his designee, and that there be 2 hours for debate this evening equally divided in the usual form. I ask unanimous consent that following that debate there be 1 hour of debate in relevant to the ANWR amendment to be offered by the minority.

I further ask unanimous consent that when the Senate resumes consideration of the budget on Wednesday that Senator FEINSTEIN be recognized to speak 20 minutes; provided further that following that debate, the Senate proceed to an additional 90 minutes of debate equally divided in the usual form in relation to the ANWR amendment; provided further that the Senate will then have 45 minutes equally divided for debate relative to a further amendment on veterans to be offered by Senator GREGG or his designee, and the previously offered amendment on veterans.

I also ask unanimous consent that following that debate the Senate proceed to an amendment offered by Senator SPECTER relative to NIH, and there be 45 minutes for debate equally divided in the usual form.

I finally ask unanimous consent that following that debate the Senate proceed to vote in relationship to the pending Amtrak amendment, to be followed by a vote in relation to the ANWR amendment, with no amendments in order to either of those amendments prior to the votes.

I further ask that at the end of the time running this vote be the veteran’s amendment to the veterans amendment, that Senator HARKIN be recognized for up to 10 minutes.

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

Mr. CONRAD. Mr. President, if I might say to the chairman of the committee, we also are trying to slot additional votes, if we can make that clear to our colleagues. The votes would start at about 1 o’clock tomorrow afternoon. We are hoping to have five votes lined up at that time. I think it is important to say that for planning purposes of our colleagues. That is the intention of the managers of this bill. We would slot these times, as has been indicated in the agreement. That intention would be, in addition to the two votes on Amtrak and ANWR, there would be two votes on veterans and a vote on NIH starting at 1 o’clock tomorrow.

That is the intention. It is not fully spelled out in this agreement because we do not have language on those amendments at this time. But for the information of our colleagues, that is the intention of the managers.

Mr. GREGG. The Senator from North Dakota is correct. That is our intention.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I hope the two managers would be willing to put the 1 o’clock beginning of the votes into a unanimous consent request so there can depend.

Mr. GREGG. Mr. President, I amend the request to reflect the fact that the votes cited in the request would begin at 1 o’clock.

The PRESIDING OFFICER. Is there objection to the request as modified? Without objection, it is so ordered.

Mr. BYRD. I thank the distinguished chairman of the committee.
Mr. President, I ask unanimous consent that the names of Senators Levin, Biden, and Chafee be added as cosponsors to this amendment.

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

Mr. BYRD. Mr. President, I thank the distinguished Senator for his statement. I yield such time as he may wish to have—I understand he wants about 10 minutes—to the very distinguished Senator, Mr. Lautenberg.

Mr. LAUTENBERG. Mr. President, I thank my colleague.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I thank my friend and colleague, the distinguished Senator from West Virginia, who has long been an advocate and supporter for Amtrak. It is so fitting that he rises at this point in time to say let’s face up to this. We need more money. To do anything that would eliminate funds would basically assure bankruptcy, which we have just dealt with in a long debate, for this important national facility—I look at what is being proposed, and it is a surprise, in view of our need for better security, for a balance of transportation, which we desperately need.

In the last couple of weeks I have met with railroad people, freight railroad people. I met with aviation people. We had the heads of these companies, the CEOs in, talking to us about what their needs were and how they needed more money to finance their expansion to keep up with their demand.

When it comes to Amtrak, there is not really the support that there ought to be. This is a national facility, call it what you will. We talk about the Northeast corridor, but that is not the whole ball game because the Northeast corridor depends on its operation being part of the whole infrastructure of a rail system.

I refer to a piece I authored not too long ago. I start saying:

Imagine hundreds of thousands more cars on our crowded highways, more hours stuck in traffic jams, more travelers in our busy airports, more oil imported from the Middle East.

One cannot be in one location in this country or another without understanding that traffic jams are more the norm, and we have to do whatever we can to reduce congestion, to relieve ourselves from the pollution that emits from all that traffic, cars sitting one behind the other.

If that is what we want to see, then here we are, looking at the closing of Amtrak. It is a pretty grim future for millions of Americans, under the proposal made by President Bush. This irresponsible plan would stop our Nation’s passenger rail system dead in its tracks. The Bush administration wants to eliminate all Federal funding for Amtrak. It is a pretty grim future for our Nation’s national passenger rail system, and it shift more of the cost of new service toward cash-strapped States.

My colleague, the senior Senator from New Jersey, just talked about that and the impact it would have. The administration wants to eliminate all Federal funding. It would be a disaster. The shortsighted proposal would strand 850,000 commuters who depend on Amtrak and 100,000 small businesses that depend on Amtrak to work each and every day. It would worsen congestion, as I said, on our roads and in our skies.

Anybody who stays abreast of what is happening in the transit system knows that we have closed the gap, the distances between airplanes, because there are too many out there under the old system. I am not suggesting it is not safe or anything of that nature, but the fact is we are putting it into overload. It is hard to get more airplanes up there. The sky, surprising to some, is a finite facility and we cannot keep putting more airplanes up there.

The impact in New Jersey and the New York metropolitan area would be devastating, where so much of our financial well-being develops, the marketplace and whatever. The heaviest population in the country is in my home State of New Jersey, and it is our airport system near-by, whether it is New York or Connecticut or Pennsylvania. Amtrak carries 4 million passengers a year in the New York metropolitan area, and it is the lifeline of our transportation system.

Instead of killing Amtrak, we should help provide the kind of top quality passenger rail system our country needs and deserves. We have never been willing to do that. We have never put the funds in it needed, from the point in time in the early 1970s when Amtrak became a quasi-government organization. We have never put the funding in there to bring this up to the kind of system that should be operating.

Go to Brussels, Belgium, where the NATO headquarters exists. Try to get to Paris, about 200 miles away. You cannot get an airplane to take that trip. You get into a train in the middle of town and a hour and 20 minutes later you are in Paris, 200 miles away. If we had that kind of service in some of these heavily crowded corridors, not just the Northeast corridor but from Chicago to St. Louis, for example, from Las Vegas, NV, to Los Angeles, some of these other places—if we could get a high-speed rail there we could substantially reduce the number of airplanes that fill our skies. We could save money, save pollution, save congestion, and do ourselves a good service.

Since the Federal Government created Amtrak 34 years ago to relieve the private railroads of passenger service, we have invested less than $1 billion a year in infrastructure and operations, not nearly enough for a world-class system. Germany, with its modern high-speed rail system was shut down. Amtrak trains kept running and carried many stranded airline passengers back to their families, to their great anxiety and concern. Amtrak provided a spectacular service in those days.

Today, everybody knows that when you go to the airport there are long lines because of security searches, making rail travel, or any kind of travel, an increasingly attractive option, but not the automobile. On a personal note of experience, the other day I left our office in the Hart Building and headed for Washington’s Reagan National Airport. It took us almost an hour to arrive at the airport. Then we got to the security line, and that was over a half-hour long.

If we totaled the time, excluding the flight time of the first one I missed and the waiting time for the second one that I had to catch, it would easily have been longer than it would have taken by rail.

If we could do for rail what we know is being done in other countries and shorten the ride between here and, let’s say, New York or New York to a 2-hour ride, we would relieve our skies. We could relieve our skies of all kinds of congestion, pollution—you name it—and cost. But we have never made the investment.

All transportation infrastructure costs money, including highways and airports, and States cannot bear the cost. But while the Bush administration proposes $50 billion in Federal funds for...
highways and airports this year—over $50 billion—there is not one dime reserved for inner-city passenger rail infrastructure. It is a crime not to do that.

Even though there is no money in the budget, the Bush administration promises to pay only half the cost of future rail infrastructure projects. But the Federal Government currently picks up 80 percent of the cost for highways and airport infrastructure.

Senator Byrd and I have spent $906 billion on highways and aviation compared to $21.5 billion on rail. We have to level this playing field to make rail more competitive. It is a vital asset for our country. Even in the more remote communities serviced by rail, I know in conversation with colleagues they appreciate the service they get.

We need to help Amtrak improve service on its existing viable routes and expand to other markets where travelers deserve a choice. Instead, the Bush administration wants to leave the passengers stranded with its own version of what the rail passenger service should look like.

In quick summary, we make a terrible mistake to turn our back on something as vital as intercity rail service. I hope we are not going to let it stand as it is presently projected. The Senator from West Virginia has proposed slightly over $1 billion to be added to the $360 million the President has removed for traffic service that will give us a start on what we have to do to finally put Amtrak in the kind of condition that can develop the technology we see in so many other places, rapid transportation, and avoid having all of us line up at the airports and on the highways and wait anxiously to see when our turn will come to take our seat and start our travel.

I yield the floor.

The PRESIDING OFFICER (Mr. Chambliss). Who yields time?

Mr. CARPER. Mr. President, I start by asking unanimous consent Senator Inouye’s name be added as a cosponsor to this amendment.

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

Mr. CARPER. Mr. President, I start today by going back in time to the first time I ever rode a train. I was about 6 or 7 years old, visiting my grandparents in Beaver, WV, a bedroom community outside of Beckley, WV. The fellow who had been the delegate in the West Virginia legislature for Raleigh County, WV, which is where my grandparents lived and where I was born, was ROBERT BYRD. By that time he had left the West Virginia legislature and was serving in the Senate after having served in the House.

The first time I ever rode a train was a B&O Railroad train that stopped in front of my grandparents’ house and picked me up one day. Then, a couple hundred yards on a train of which my grandfather was a crew member.

It is ironic that some 50 years later I stand in the Senate to support the amendment offered by Senator Byrd to support continuing passenger rail service. He is literally from the same place I was born. My first personal experience with rail service was in his old representative district and certainly his Senate district. I say to Senator Byrd, thank you very much for the leadership you have shown for bringing us to the Senate today to express our support of passenger rail service in the 21st century.

Fast forward a little bit to 1970. I was a naval flight officer on my first couple of tours in Southeast Asia. I remember picking up one day at the airport for Time and reading that somebody in the Congress had worked with the Nixon administration to create a passenger rail service for our country. At the time, the private railroads could not make money carrying people. They wanted to be relieved of that responsibility and only carry commodities, not people, from place to place in this country. An agreement was struck whereby if the for-profit private railroads would sell their old rolling stock, their old locomotives, their old passenger cars, their old dining cars, and old track bed from Washington to Boston, overhead wires and old signaling system, old repair shops and old overhead wire and fix in a little bit of money on top of that, we would somehow come up with a new passenger rail service called Amtrak.

After that couple of years and a couple of years of subsidy from the Federal Government, this new entity called Amtrak would start making money, something the private sector cannot do in carrying people. A couple years went by, and after running those old trains on the old tracks, the old signal system, the old maintenance shop and the old signaling system and not a whole lot of Federal support to improve the capital infrastructure, Amtrak didn’t make money.

If you look at the countries at countries where they invest a lot of money in their passenger rail system, they don’t make money either. They don’t pay for the full cost of their passenger systems out of the fare box any more than we have been able to do.

Since 1970, passenger rail service, intercity passenger rail service in this country has been starved for capital. Railroads are inherently capital intensive. Passenger rail, as freight rail, needs significant capital investments and we have literally starved Amtrak for capital investments since its creation. And that continues today.

What has changed since 1970? Among the things that have changed, we import a lot more oil today. I don’t recall exactly what we were importing as a percentage of consumption in 1970. It was not much. This year almost 60 percent of the oil we use in America will come from places outside the United States.

Our trade deficit in 1970 was not much at all. We were pretty much in balance. In the month of January of this year, our trade deficit reached about $60 billion in 1 month. Back to 1990, that is twice our trade deficit in 1990, and a quarter of our trade deficit each month and year is attributed to oil imports. One of the things that has changed since 1970 is a greater trade deficit and greater dependence on foreign oil.

What else? Congestion on our roads and our airports. To get down 1-95 to catch the train to come down here, bumper-to-bumper traffic. 1-95 was a parking lot more than 30 years ago. And that is not the only interstate highway that was a parking lot this morning or this afternoon. This is true of roads across our country.

The other thing that is different, 25 million people rode Amtrak to someplace last year and run the old business model we have worked with for a number of years, that is not good enough. We need to have a debate and a good robust discussion on what the future of passenger rail service should be in this country. I am not sure exactly what the future business model for Amtrak ought to be, but I suggest that it include a couple of these things: One, a focus on providing high-speed passenger rail service in densely populated corridors, not only in the Northeast corridor from New York to Washington, but certainly in corridors in the Southeast, the west coast, hubs from Chicago. There are corridors we could exploit for passenger rail where folks travel 200 or 300 or 400 miles.

Another thing that is different from 1970 is that 75 percent of the people in America live within 50 miles of one of our coasts. Think about that. Seventy-five percent of the people in America today live within 50 miles of one of our coasts. There are all kinds of densely populated corridors that could be well served by intercity passenger rail.
Another aspect of the business model, aside from developing high-speed rail service in densely populated quarters, can be what I call trains that people pay a premium to ride because they like to ride them, because it is a neat thing to do, because it is convenient.

The Auto Train. People get on the Auto Train. They got on it about an hour ago, just south of Washington, DC. They pay a lot of money to ride a train down to Orlando, FL. They have great food on the train, watch movies, sleep on the train. It is a nice train, modern and convenient. They will get off tomorrow morning near Orlando, FL, and have their cars right there with them to go wherever they want to go. There are trains out on the west coast—Pacific Starlight—where people will pay extra money just for the beauty of the ride. Some trains across the great northern part of this country are the same.

Amtrak can make money actually running some of those trains. Amtrak can make money carrying people in a high-speed Acela Express in the Northeast. Amtrak can make money carrying the mail. Amtrak can make money renting the Northeast corridor to freight for their uses, to rent out part of the right-of-way to the folks who want to run other kinds of information through the right-of-way.

Those are some elements of a business plan that I think might make some sense for passenger rail in the 21st century. Freight railroads need to be a part of their cars right there with them to go wherever they want to go. Amtrak can make money actually running some of those trains. Amtrak can make money carrying people in a high-speed Acela Express in the Northeast. Amtrak can make money carrying the mail. Amtrak can make money renting the Northeast corridor to freight for their uses, to rent out part of the right-of-way to the folks who want to run other kinds of information through the right-of-way.

The last thing I will say is this. Senator SCHUMER is here to comment as well. I will finish and add this comment. A friend of mine, a senior official in the Bush administration, said to me a couple years ago, knowing of my interest in passenger rail service, that we should follow the airline model. With passenger rail service, we should do the same kind of model we follow with respect to airlines. And I said, why? And I said, why? He said, tongue in cheek: Does that mean we ought to follow the Pan Am model? Should we follow the Eastern Airlines model? Should we follow Braniff? Should we follow U.S. Air? Should we follow United? Is that the model we should follow into bankruptcy, because they have all gone bankrupt? And now the administration is suggesting a path that will lead to bankruptcy for Amtrak.

The Surface Transportation Board, if they are given $300 million, they can’t run the Northeast corridor. That is not their ability. That is not their talent. This does not make sense. What does make sense is going forward on two tracks. I would suggest we adopt this amendment and we simultaneously have a full and robust and rich debate on this floor and in committees and elsewhere to decide what 21st century passenger rail service ought to be in this Nation.

Last word. In a country where almost 60 percent of the oil we are using in this year comes from other places around the world, where, frankly, a lot of people don’t like us, and I am convinced they take our money to hurt us, keep this in mind: To carry 1 ton of freight by rail from Washington DC, to Boston, MA, uses 1 gallon of diesel fuel. Let me say that again. To carry 1 ton of freight by rail from Washington DC, to Boston, MA, takes 1 gallon of diesel fuel. In a country that is awash in foreign oil and that has huge trade deficits, a lot of which are attributable to our dependence on oil, we are foolish to ignore that reality.

Mr. President, I yield back my time. The PRESIDING OFFICER. Who yields time?

The Senator from New York. Mr. SCHUMER. I appreciate my good friend from Georgia recognizing me.

I am here to rise in strong support of the Byrd amendment. First, I thank our leader and our colleague and friend, Senator Robert C. Byrd, for offering this amendment. I am proud to be a cosponsor of this amendment. It is one of the most vital amendments we will vote on this week in terms of the budget. Much has already been said, but I just want to add my voice to the importance of Amtrak.

If you live in the Northeast, if you live in New York State, you know how important Amtrak is, not only the train that goes from Boston to New York and to New Jersey, but the train that goes from New York City to Albany and then to Montreal.

For the capital region of Albany, for over a million people, Amtrak is the No. 1 way to get to nearby cities, the route that goes from Buffalo across to Albany and then to Boston. All of them are well traveled and well used and meet any national test in terms of transportation. In New York, 10 million New Yorkers use Amtrak, and large numbers of people depend on Amtrak.

This affects all of America. I know it has been said before, but let me say it again. If we were to close Amtrak, and in our most densely populated area, the Northeast corridor, people used planes only, you would have congestion in New York City, in Boston, in Philadelphia, in Washington. It you lived, say, in Chicago or Los Angeles, or Albuquerque, you may say: What do I care? The reason is, once the traffic backs up, the traffic is the nestor, in the last resort, then it backs up to Cleveland, to Detroit, to Chicago, and down to Dallas, and all the way to California. We would choke not only our rail system, which is probably the intention of the amendment, but we would choke our entire transportation system. The roads, densely populated by trucks and cars already, would become more crowded. That means traffic jams would increase. That means pollution would increase. That means time per worker to get somewhere, and productivity, would go down. As I mentioned, our air service would become a total mess. So for the relatively small subsidy that Amtrak gets, it keeps its transportation system in the whole country humming.

Europe does not have the kind of delays that we have today. The PRESIDING OFFICER. The Senator’s time has expired. Mr. SCHUMER. Mr. President, I ask unanimous consent for 5 additional minutes. The PRESIDING OFFICER. Without objection, it is so ordered. Mr. SCHUMER. Thank you, Mr. President.

Western Europe is about the only place as crowded and uses as much transportation as the United States. But the delays at the airports are so much lower. Why? Because they have a well, efficient, and subsidized system of rail. You go from London to Paris, you take the Channel train. You go from Paris to Lyon or Frankfurt, you take the Train a Grand Vitesse. It is just ridiculous that we are thinking of cutting it here.

Now, if you say we are against subsidies, well, agricultural subsidies are a similar subsidy. And there is sort of a balance. Believe me, my State, particularly with the new laws we passed for dairy and apples, benefits from agriculture subsidies. They are cut 5 percent. Amtrak is eliminated. Why is that? If you are against subsidies, you are against subsidies.

I would urge the President and the people supporting this budget: OK, cut Amtrak 5 percent like you cut agriculture. Maybe together we can fight to restore even that 5 percent. But it is not a question of subsidy.

Then we get boxed in. People talk about: Well, what about the trains that are hardly used that go through large swatches of the country where they are not used? Well, the bottom line is, people from areas where Amtrak is heavily used depend on the votes of some of these folks. If we do not get a guarantee from the White House and from this body that only in the areas where Amtrak is highly used we would continue to support it, and eliminate the rest, that is something to consider. But they do a “beggar thy neighbor” argument. They say: Cut the subsidies out West or in the South, and then we will not support Amtrak anywhere. And that gives us virtually no support. It is untenable and it is unfair.

One other issue. It affects my city, and that is the issue of terrorism. After 9/11 our airspace was shut down, but New York was not closed to the rest of the country because we had Amtrak. God forbid another terrorist incident occurs. Let’s say, God forbid, somebody uses MANPAD shoulder-held missiles and shoots down planes in 20 places in the United States of America. Again, God forbid, if we did not have a rail system, this country would come to a screeching halt. So after 9/11, the response to that was 9/11. And the whole idea we will send Amtrak into bankruptcy and then we will fix it will cause chaos—
chaos in New York, chaos in the Northeast, chaos in America. This is no way to run a country. This is no way to run a transportation system. No business man or woman who knows how to get things done would make this presidential joke. This is what we find with this proposal is what we find with a lot of things these days: a small band of ideologues who really do not look at practicalities. Ideologues of the right, ideologues of the left—they have all their genius given to them directly from the heavens, and they do not look at practicalities.

These ideologues say: Amtrak, subsidy, bad. And then, because Amtrak has less political support, people go along. Are we cutting the subsidy for roads? Are we cutting the subsidy for airports? The same ideologues say those are bad, too. But we are in the anomalous position where we are caught between the ideologues on the one hand, practicality on the other, and we get stuck. There is no consistency, no practicality, no understanding of the need of a modern nation.

So I hope we will vote for Senator Byrd’s amendment. Will it take Amtrak to great new heights? No. Will it allow it to continue and grow? Yes. With the changes made by Mr. Gunn, who everybody understands is an excellent manager and who doesn’t like to waste a nickel, we can make Amtrak better.

I hope that on this amendment, instead of the knee-jerk reaction to vote down all amendments, which we have seen a lot, people will look at the amendment and what the consequences of doing what is in the budget, and I hope we will support the Byrd amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. I wish to thank my colleagues from New York and Delaware.

Many believe Amtrak is a critical service for the northeastern corridor. Amtrak is an important passenger rail service for the Midwest. In my State of Illinois, we have three different Amtrak lines that are vitally important to my State. Each year, about 3 million passengers ride Amtrak in the State of Illinois. They are young and old, many college students.

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. DURBIN. I ask unanimous consent for 5 additional minutes.

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

Mr. DURBIN. Again, there are 3 million passengers a year in Illinois that include the young and old who ride Amtrak for a variety of reasons. I live in the State capital. State employees go back and forth on the trains from Springfield to Chicago. A lot of baseball fans, including Cubs and Sox and the Cardinals down in St. Louis ride on Amtrak. During a school year, you cannot board an Amtrak train without finding scores of students going to Southern Illinois University, University of Illinois, Illinois State University, or Quincy University. It is a critical service for our State. Two-thousand people in my State ride Amtrak every day.

If the administration has its way and closes down Amtrak, as Secretary Mineta and the President have suggested, or threatened, it is going to have a devastating impact on Illinois. What happens when all the trains go away? If they do—and I hope it never happens—if they do, the answer is obvious: more cars on the highway.

Who in the world thinks that is the answer to America’s transportation future? Right now, communities across Illinois are begging me for more money to widen and build highways because already the congestion is out of control. Now comes the discussion of eliminating national passenger service, so 3 million train passengers in Illinois will be left without a subsidy. In addition, 2 people ride together—adding to the congestion, adding to the pollution, adding to more dependence on foreign oil.

What is this White House thinking? Instead of walking away from Amtrak, this administration and other administrations should walk toward Amtrak, realizing that it is one of the key elements of transportation in America.

We don’t think twice about subsidizing highways—transportation—trucks and cars. We do it all the time. The divided highway and the divided road? Are we cutting the subsidy for roads? Are we cutting the subsidy for roads? Are we cutting the subsidy, bad. And then, because Amtrak is an anachronism that would not control. Now comes the discussion of the costs for the three routes I mentioned earlier, and more than $70 million over the last decade, in addition to a quarter of the cost of the Chicago-Milwaukee corridor. Illinois, despite a big deficit, is willing to pay its fair share.

Should the Federal Government not be willing to do the same? Secretary Mineta is a friend of mine; we served in the House together. He came to Chicago recently and said: I want to make it clear, we want to close down Amtrak. If we wanted to do that, we would do nothing. That means no subsidy. Amtrak would go away with no subsidy. We should work to improve Amtrak. They have made great progress over the last several years. But capital investments in Amtrak today mean better, more reliable service, faster trains, more people using the trains, and fewer people on the highways. Walk along Amtrak will not achieve that goal.

I hope we can put together a bipartisan coalition to support Senator Byrd and the amendment he is offering on behalf of Amtrak. I think the Senator from West Virginia and the bipartisan group that supports Amtrak are going to keep this service in place so we can make certain that the millions of people in Illinois and across the U.S. will continue to find Amtrak a reliable train service.

Mr. President, at this point, if I am not mistaken, unanimous consent suggests that we are moving to a discussion or debate on the Arctic National Wildlife Refuge; is that correct?

The PRESIDING OFFICER. There is time remaining on this amendment under the control of the majority.

Mr. DURBIN. On the Byrd amendment, is there time remaining on the majority side?

The PRESIDING OFFICER. Yes, 17 minutes by the majority.

Mr. DURBIN. On the Amtrak amendment. Is there time remaining on the minority side?

The PRESIDING OFFICER. There is 10 seconds.

Mr. DURBIN. I will yield back all the time I have remaining to the Chair in the hopes of speeding up this debate and bringing it to a prompt conclusion. I yield the floor.

The PRESIDING OFFICER. Who yields the floor?

The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, let me repeat what I said earlier. As I have listened to my friends talk about this amendment, I know of no one on this side who wants to shut down Amtrak. I know of no one in the administration who wants to destroy Amtrak. I know of no one who thinks that it would make sense to stop running trains in those corridors where people depend upon them for their daily activities. I hear all of the doomstak talk. I dismiss it because I don’t know of anybody who is planning to do the terrible things they are accused of.

I do want to respond to the Senator from New York, Mr. Schumer, on one comment he made about the necessity for keeping a national rail system. He said, if we don’t keep running trains in all of these States that don’t have big population centers, that depend upon Amtrak the way New York, New Jersey, Delaware, and Pennsylvania do, we will lose their political support.

Apparently, he didn’t hear what I had to say, so I will repeat it. I am a Senator who supports Amtrak, who believes it is essential for the Nation to have Amtrak in the Northeast corridor and other heavily populated areas. I would be glad to donate to Amtrak the cost of running a train through Utah or the cost of running trains through Utah. I am not going to disapprove any of my constituents because they don’t ride the trains. I am
not so parochial as to say that the only reason I would support Amtrak is because there is a train in my State. When I look at the number of people who are on the train, I look at the number of people who use the train, I realize that it is a terrible waste of money. A train in my State makes no sense. I have watched the service shrink, as I said before, with the number of people who ride it. I have watched the terminal go from a large building that had great nostalgia and history down to a smaller one, to the corner of that one, until today it is quite literally a Quonset hut. Because there are so few people going through it, there is so little use of it that you want to save as much money as you can in the capital structure that supports it.

So let us not say that the reason we have to maintain the fiction of a national railway system is for political support that can support the areas where the railway system is really needed. Let’s give those of us who come from other States enough credit of being smart enough to realize that shutting down Amtrak in the Northeast corridor would be a stupid thing to do, but keeping Amtrak running across areas of the country bigger than the areas across Europe all by themselves, where nobody uses the service, is also a stupid thing to do.

There is no real all-or-nothing discussion. This is not a debate between killing Amtrak and putting 15 million people on the Northeast corridor on the highways or keeping rail service available all across the Nation. This is a question of saying after 30 years of watching the subsidies fail to produce a system that makes sense, it is time to redraw the nature of the system. And this is the administration’s way of getting attention.

If, in fact, we find out during the appropriations process that the administration wants to kill Amtrak, that the administration really wants to destroy service in the Northeast corridor, I will be the first to come to the floor and stand with my friends from New Jersey, New York, Delaware, Pennsylvania, and Maryland and say this is a stupid thing to do. And I will vote for appropriations, I will vote for subsidies for Amtrak in those areas, as I always have. But do not assume the reason I always have is because there is a train running through my State. Indeed, I have always voted in that fashion saying that you ought to get rid of the train that is running through my State so that you have more money available to solve the problems in the Northeast corridor.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BENNETT. Mr. President, I yield the remainder of the time we have to the Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I have sought recognition to speak on the funding for Amtrak. I have joined Senator BYRD on the Byrd-Specter amendment to provide $1.4 billion for Amtrak which is, in my judgment, absolutely essential for the welfare of the United States of America.

The impact of an industrial society is having urban transportation. The Amtrak issue has been before the Congress virtually every year since I was elected in 1980. I recall one of the early meetings in the office of Senator Howard Baker, who was then the majority leader, where Amtrak had been zeroed out. In those days, it was funded between $600 million and $700 million. We were discussing the issue with David Stockman, who was the Director of the Office of Management and Budget. His argument was Amtrak will go to bankruptcy and the line between Boston and Washington would be saved.

It seemed to me there would be enormous problems. You would not be able to land at National Airport, now you have to go around from the Baltimore tunnel. We were able to save Amtrak. We have saved Amtrak in every year.

There is an enormous amount of work which needs to be done on Amtrak’s infrastructure, fleet, and equipment. Amtrak is setting record ridership, and as the congestion of our airports and highways continues to increase, it would be a grave mistake to cut back on.

On February 10 of this year, 35 Senators, including 8 Republicans, wrote to Chairman GREGG and Ranking Member CONRAD expressing our deep concern regarding the President’s proposed elimination of Amtrak funding in the 2006 budget proposal and setting forth in detail the reasons Amtrak should be funded.

Mr. President, I ask unanimous consent that the letter to Chairman GREGG and Ranking Member CONRAD be printed in the RECORD.

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

U.S. SENATE,

HON. JUDD GREGG,
Chairman, Senate Budget Committee, U.S. Senate, Washington, DC
HON. KENT CONRAD,
Ranking Member, Senate Budget Committee, U.S. Senate, Washington, DC

DEAR CHAIRMAN GREGG AND SENATOR CONRAD: We are writing to express our deep concern regarding the President’s proposed elimination of funding Amtrak in his 2006 Budget proposal. At a time when Amtrak is setting record ridership records and as congestion at our airports and on the highways continues to increase, we believe it would be a grave mistake to cut the essential federal funds that keep Amtrak operating. Without such funds or other intervening action, Amtrak would quickly enter bankruptcy and shutdown of all Amtrak services, leaving millions of riders and thousands of communities without access to the essential and convenient transportation that Amtrak provides.

Therefore, we ask that you provide sufficient funding in the Fiscal Year 2006 Budget Resolution to sustain Amtrak’s national network of passenger rail service. Amtrak’s 5-year Strategic Plan, which was approved by Amtrak’s Board of Directors on June 10, 2004, specifies that approximately $1.8 billion will be required for fiscal year 2006 to provide safe and efficient operation of the railroad. In addition, the most recent reauthorization proposals in the Administration would require a funding level of at least $1.5 billion for fiscal year 2006, according to the Department of Transportation Inspector General.

Where Amtrak service is available, Americans ride the train and are doing so in record numbers. Despite a sluggish domestic travel industry, Amtrak carried more than 25 million passengers nationwide. If Amtrak had the same opportunity to receive Federal infrastructure investments as highway and aviation interests, with a federal match comparable to funds available to those modes of transportation, many more communities would avail themselves of passenger rail service.

Amtrak has made real progress reforming itself over the last few years by reducing its operating costs to help fund needed capital improvements. Over the last 30 months, Amtrak CEO and President David Gunn has cut operating costs, reduced the employee headcount from slightly less than 25,000 to just under 20,000 employees, has increased the number of trains it operates by 20%, and implemented internal reforms designed to control costs and improve Amtrak’s core operating expenses are now less than they were in 2000.

There is an enormous amount of work needed on the infrastructure, fleet, and equipment. Amtrak owns and operates. Amtrak cannot continue to defer this important work without jeopardizing safety and reliability of its operations or putting at risk the service that is relied on by hundreds of thousands of commuter and intercity passengers each day.

Please consider our request for adequate funding for Amtrak in preparing the FY 2006 Budget Resolution.

Sincerely,

Conrad Burns,
Kay Bailey Hutchinson,
Arlen Specter,
Lincoln Chafee,
Charles Schumer,
Jon S. Corzine,
Byron L. Dorgan,
Ron Wyden,
Frank R. Lautenberg,
Max Baucus,
Joe Biden,
Paul Sarbanes,
Herb Kohl,
Joe Lieberman,
Barbara H. Mikulski,
Norm Coleman,
Tom Carper,
Barbara Boxer,
Hillary Rodham Clinton,
Patrick Leahy,
Dick Durbin,
Rick Santorum,
Susan Collins,
Evan Bayh,
Mark Dayton,
John F. Kerry,
Jay Rockefeller,
Jack Reed,
Chris Dodd,
Ted Kennedy,
Olympia Snowe,
Jim Jeffords,
Barack Obama,
Carl Levin,
Debbie Stabenow.

Mr. SPECTER. Mr. President, I urge my colleagues to support adequate funding for Amtrak. I thank the Chair and yield the floor.
Mr. KENNEDY. Mr. President, I commend Senator BYRD for standing up for the future of our Nation’s national passenger rail service system with this amendment.

For the past 4 years, this administration has managed to pull off a thoroughly cynical and callous way of destroying Amtrak. Each year the Senate has requested less funding than the railroad needs to operate and improve its services, and then they pillory Amtrak when it falls short of truly impossible goals.

David Gunn, the CEO of Amtrak since 2003, has stated numerous times to Congress and administration officials that to put Amtrak on solid financial footing and increase ridership, key capital improvements are desperately needed, and would cost an estimated $1.8 billion a year.

In fact, Amtrak’s 5-year strategic plan calls for $1.8 billion this year, but the Bush administration simply refuses to request it from Congress, because they are bent on destroying the railroad.

Compared to the railroad investments made by our major economic competitors like Japan and Germany—each of which invests nearly 20 percent of its transportation budget on rail or between $3-4 billion each year—Mr. Gunn’s request for $1.8 billion—or 2 percent of the Federal Government’s transportation budget—doesn’t seem outrageous.

Amtrak operates a nationwide rail network, serving over 500 stations in 46 States. It has over 22,000 miles of track and 20,000 employees.

Amtrak’s request for $1.8 billion doesn’t even come close to rivaling the amount the Federal Government spends on highways and air travel. Last year, we invested $34 billion for highways, and provided airlines with $14 billion to subsidize air travel.

Yet despite Amtrak’s clear and compelling needs, the administration has proposed only $900 million in each of the past 2 years, forcing Congress to scramble to provide a “barebones” budget of $1.2 billion needed to prevent the railroad from shutting down.

As a result, instead of being able to focus on a long-range plan of restructuring and reform, Amtrak has been forced into a permanent plan of crisis management.

They have been forced into accepting short-term capital investment deferrals and bookmaking wizardry simply to keep the railroad afloat. They haven’t had any choice, and they are barely holding on.

As anyone in the transportation industry will testify, repairs delayed only become more costly in the future. Yet that is what Amtrak has been forced to do because of chronic underinvestment.

Despite these hardships, Mr. Gunn and his Amtrak team have had some successes, and we should acknowledge them.

First, they were able to increase ridership by 4 percent during fiscal year 2004, for a total ridership of over 25 million nationwide.

In addition, measured against domestic airlines, Amtrak has moved into 8th place in total ridership and 1st place in terms of on-time performance.

After terminating Amtrak’s effort to make crucial new investments and improve services in recent years, the administration now simply proposes to eliminate funding altogether.

What we see again and again from this administration is the call for reform, without the resources to achieve it. It doesn’t work in education, and it won’t work with the Nation’s passenger rail system.

If the administration’s plan—bankruptcy were—to happen, all of Amtrak’s assets its stations, its track, its railroad cars, its locomotives—will be sold at fire-sale prices to pay off its creditors.

Among the assets that could be permanently removed from the Nation’s transportation network are: 2,141 railroad cars; 425 locomotives; 20 high-speed passenger trains; miles of high-speed track in Michigan; 62 miles of track between Hartford, Connecticut and Springfield, MA; 104 miles of high-speed track in Pennsylvania; and the 363 miles of Northeast Corridor track connecting Washington, Philadelphia, New York, and Boston.

Make no mistake, if these assets are pulled from the Nation’s passenger rail system, no one will be able to put it back together again. Travel will be permanently undermined, to the detriment of our economic competitiveness, the quality of our environment, and our national security.

The administration suggests that perhaps the governors will step in. But what will happen if the States fund individually, and collectively, don’t have the resources to acquire an operate the system.

Even if they did, they haven’t been consulted about such a proposal. Not a single State has come forward to express any interest in assuming the financial or legal responsibility for operating an interstate rail service.

Can you imagine if the administration had proposed to eliminate the FAA, and asked the Governors to step in? To the States individually, and collectively, don’t have the resources to acquire an operate the system.

This budget is a serious danger to the stability of our nation’s transportation system. The Senate should reject the Bush administration’s mindless plan of forcing Amtrak into bankruptcy.

A safe, reliable, and efficient national transportation system demands that Congress act responsibly on passenger rail issues, even if the administration continues to refuse to do so.

What if we have to shut down the national air traffic control system, as we did after 9/11, or if key parts or our Interstate system are compromised by terrorist attacks, as they may well be?

Shouldn’t the mere possibility of one or more of these crises force us to recognize the importance of maintaining a viable national rail network?

The Senate should reject the administration’s plan of encouraging bankrupting Amtrak as a means of reform. This is a disastrous plan that will shut down all Amtrak operations across the country and severely limit Congress’s abilities to provide intercity passenger rail service in the future.

This amendment would increase funding for Amtrak by $1.04 billion. I am supporting this amendment, which would add $1.4 billion to the budget for Amtrak because rail service is so important to travelers in Wisconsin and across the United States. It has over 22,000 miles of track and 20,000 employees.

Amtrak operates a nationwide rail network, serving over 500 stations in 46 States. It has over 22,000 miles of track and 20,000 employees.

Amtrak’s request for $1.8 billion doesn’t even come close to rivaling the amount the Federal Government spends on highways and air travel. Last year, we invested $34 billion for highways, and provided airlines with $14 billion to subsidize air travel.

Yet despite Amtrak’s clear and compelling needs, the administration has proposed only $900 million in each of the past 2 years, forcing Congress to scramble to provide a “barebones” budget of $1.2 billion needed to prevent the railroad from shutting down.

As a result, instead of being able to focus on a long-range plan of restructuring and reform, Amtrak has been forced into a permanent plan of crisis management.

They have been forced into accepting short-term capital investment deferrals and bookmaking wizardry simply to keep the railroad afloat. They haven’t had any choice, and they are barely holding on.

As anyone in the transportation industry will testify, repairs delayed only become more costly in the future. Yet that is what Amtrak has been forced to do because of chronic underinvestment.

Despite these hardships, Mr. Gunn and his Amtrak team have had some successes, and we should acknowledge them.

First, they were able to increase ridership by 4 percent during fiscal year 2004, for a total ridership of over 25 million nationwide.

In addition, measured against domestic airlines, Amtrak has moved into 8th place in total ridership and 1st place in terms of on-time performance.

After terminating Amtrak’s effort to make crucial new investments and improve services in recent years, the administration now simply proposes to eliminate funding altogether.

In fact, the administration’s budget itself makes it clear the will be forced into bankruptcy, and some sort of restructuring will take place.

What we see again and again from this administration is the call for reform, without the resources to achieve it. It doesn’t work in education, and it won’t work with the Nation’s passenger rail system.

If the administration’s plan—bankruptcy were—to happen, all of Amtrak’s assets its stations, its track, its railroad cars, its locomotives—will be sold at fire-sale prices to pay off its creditors.

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What if we have to shut down the national air traffic control system, as we did after 9/11, or if key parts or our Interstate system are compromised by terrorist attacks, as they may well be?
maintain commuter service operated by Amtrak in the case of bankruptcy. Amtrak would receive a total of $1.4 billion to fund railroad operations and meet capital needs. While this number is less than Amtrak has said it needs, it should allow Amtrak to continue its operations and maintain much of the progress the company continues to make on repairing and replacing worn-out capital assets. The increased spending requested by this amendment is offset by closing corporate tax loopholes. It is important that we provide adequate funding for Amtrak so that the railroad can maintain and improve the operations of the national system and make critically needed investments to return rolling stock and infrastructure to a state of good repair while Congress addresses the larger questions surrounding Amtrak’s future through the reauthorization process. As the chairman of the Commerce Committee, Amtrak’s authorizing committee, I look forward to working with the majority Chairman, Senator STEVENS, and with our Subcommittee on Surface Transportation and Merchant Marine Chairman, Senator LOTT, on ways we can improve Amtrak’s service, costs, and structure. But, we must act today to ensure that adequate funding is reserved in this year’s budget to avert any future crisis, to ensure the preservation of passenger rail as an alternative for the American traveling public, and to let Amtrak’s employees and creditors know that Congress will not leave them out in the cold.

The PRESIDING OFFICER. Who yields time?

Mr. DURBIN. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The majority has 8 minutes 40 seconds.

Mr. DURBIN. Mr. President, I ask the Senator from Pennsylvania if he would be in a position to either yield back the time and allow the debate or reserve the time and allow us to begin the debate on the Arctic National Wildlife Refuge, which I believe is next in the unanimous consent agreement.

Mr. SPECTER. I thank the Senator from Illinois giving me the option. Since I do not have the authority to waive, I choose option 2.

Mr. DURBIN. Mr. President, I ask unanimous consent that the remaining time on this Amtrak amendment on the majority side be reserved and that we not take the time of the absence of the Senator from Alaska to go forward on the allocated time for the Arctic National Wildlife Refuge debate.

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

The Senator from Illinois.

Mr. DURBIN. Mr. President, I want to make clear, since the chairman of the committee came to the floor, that there were 8 minutes remaining on the Amtrak debate on the majority side, and I protected that 8 minutes so it would not be surrendered. Under the unanimous consent agreement, we now move to the debate on the Arctic National Wildlife Refuge. I hope that meets with his approval. If it does not, I will be happy to work with the majority on that question.

The Arctic National Wildlife Refuge was created in the administration of President Eisenhower. This Republican President decided in the 1950s that there were parts of the United States so important for future generations that they should be protected. One of those parts was the Arctic National Wildlife Refuge.

There has been a lot of debate about the future of that refuge. It is a place in our Nation that has a special significance to many people. There are Native Americans who live there and count on this refuge for their sustenance, maintaining their tradition, really protecting their lifestyle. There are others who see this Arctic National Wildlife Refuge from a much different perspective, and that is why we continue to debate the Arctic National Wildlife Refuge.

The reason we are considering it on the budget resolution is because a decision has been made, and that decision, made by those who wish to see drilling in the Arctic National Wildlife Refuge for oil and gas, is that they no longer want to follow the regular rules of the Senate because the regular rules of the Senate allow us to debate for a period of time.

Mr. STEVENS. Will the Senator yield?

Mr. DURBIN. I will yield for a question.

Mr. STEVENS. Are regular rules of the Senate to filibuster a bill? I do not understand what the Senator is saying. The only reason this is in the budget resolution is because he and others have threatened to filibuster it.

Mr. DURBIN. Does the Senator have a question?

Mr. STEVENS. That is my question. Would the Senator guarantee us an up-or-down vote if we do not keep it in this resolution?

Mr. DURBIN. I thank the Senator from Alaska. He has certainly been here a lot longer than I have. He understands the rules of the Senate far better than I do, and under the regular order of the Senate, we allow debate to protect the rights of the minority. I think the Senator is well aware of that fact. It is really what makes the Senate unique. And the fact that now the Senator from Alaska wants to raise this issue on the budget resolution is because he is in some way going around the regular order of the Senate and to win with 51 votes an issue which may require 60 votes if it was debated in the regular order. I think the Senator would concede the fact that what he is doing is extraordinary, that he is asking for this Arctic National Wildlife Refuge.

Mr. STEVENS. Will the Senator yield there?

Mr. DURBIN. Not at this point because I think we have divided time for debate.

Mr. STEVENS. I am happy to charge it against my time.
Oil and gas exploration in Alaska has been very profitable, not only for the companies involved but for many people in Alaska. But for those of us who are trying to look at a balanced energy picture, there are some serious questions here as to why we would decide to go forward. The National Petroleum Reserve established almost 50 years ago and say we have reached such a desperate point in America when it comes to energy that we have no choice but to drill in the Arctic National Wildlife Refuge.

For some, this comes to the floor questioning this decision by the Bush administration. I have been told from time to time by those on the other side that I don’t know what I am talking about because I have never been there; I have never seen the Arctic National Wildlife Refuge.

After having been told that for a number of years, I decided to do something about it. I went there. I went there 2 years ago and camped out 2 nights with my son and some friends, to take a look at what the refuge was. We went there in August. It was an amazing experience, one of the most beautiful pieces of real estate on this Earth. Although there are some tracks and disturbed areas, and I say it doesn’t offer that much, I think it is extraordinary. I think President Eisenhower was right in setting it aside as a wildlife refuge.

When you take a look at the area where exploration and drilling have been allowed, you can see as you fly over the dramatic difference. The landscape is scarred with roads and activities in those areas not protected as a wildlife refuge. On the side of the river where the wildlife refuge exists, it is quite different. It is as God made it and it still stands today. It is significantly different.

The administration and its supporters for drilling in the Arctic Refuge who claimed the drilling can be done in an environmentally sound manner. I recently heard one of the Secretaries say we would use ice roads which would disappear when the spring thaw came around; you would never even know they had been used. They noted that the United States has the highest environmental standards and the most advanced technology in the world.

That may be true. But toxic spills and air pollution from permanent year-round operations are currently wrecking havoc on many areas of Alaska’s fragile North Slope. Once part of the largest intact wilderness area in the United States, Alaska’s North Slope now hosts one of the world’s largest industrial complexes, spanning a thousand square miles of once pristine arctic tundra.

Prudhoe Bay and 26 other oil fields include the following: 28 oil production plants, gas processing facilities, and seawater treatment and powerplants; 38 gravel mines; 223 production and exploratory gravel drill pads; 500 miles of road; 1,800 miles of pipeline; 4,800 exploration and production wells. All of this activity is taking place in an exceptionally fragile region.

Any physical disturbance—boulder tracks, seismic oil exploration, spills of oil and other toxic substances—can scar the land for decades. The National Academy of Sciences concluded it is likely that the most disturbed habitat will never be restored and the damage to more than 9,000 acres by oilfield roads and gravel pads is likely to remain for centuries.

At risk with the Arctic National Wildlife Refuge is the home for nearly 200 wildlife species including polar bears, musk oxen, and caribou. While I was there camping in the ANWR we saw one of those musk oxen. It was an amazing sight. During the summer, nearly 135 bird species, including millions of tundra swans, snowy owls, eider ducks and shore birds, are among those that rely on the area for sustenance before migrating south for the winter.

No matter how careful oil companies are, oil exploration and production are not environmentally sensitive practices.

Exploration and production would not be confined to a limited area; it would range across many separate fields, affecting wildlife habitat on hundreds of thousands acres interspersed between sprawling oil facilities and pipelines.

Habitat would be further disrupted by industrial activity associated with airports, permanent production and support facilities, housing, and the gravel roads needed to connect drilling sites.

All this industrial activity would fragment the coastal plain, disrupting critical birthing, denning and breeding areas.

Each year, the oil industry spills tens of thousands of gallons of crude oil and other hazardous materials on the North Slope.

From 1996 to 2004, there were some 4,530 spills of more than 1.9 million gallons of diesel fuel, oil, acid, biocide, ethylene glycol, drilling fluid and other materials.

In the Arctic, the environmental damage from oil spills is more severe and lasts longer than in more temperate climates. Diesel fuel, for instance—the most frequently spilled substance on the North Slope—is acutely toxic to plants. Even after decades have passed, tundra vegetation has been unable to recover from diesel spills.

Then there is the issue of air pollution. Each year, oil operations on Alaska’s North Slope emit more than 70,000 tons of nitrogen oxides, which contribute to smog and acid rain. North Slope oil facilities also release greenhouse gases emitting anywhere from 7 to 40 million metric tons of carbon dioxide and 8,000 to 114,000 metric tons of methane. Plumes of pollution from Prudhoe Bay have been detected in Barrow, Alaska, nearly 200 miles away.

The City of Nuiqsut Council in 2001 noted, “the impact of oil and gas development on our village has been far reaching. This has affected our day-to-day lives in several ways. Our ability to hunt and gather traditional food has been severely impacted by development.”

Increased cases of asthma have also developed in villages subject to the air pollution posed by development.

Hazardous waste contaminates water and wetlands despite advances in waste disposal methods where drilling wastes are ground up and re-injected.

In 2000 British Petroleum was ordered to pay $22 million in civil and criminal fines and establish a new environmental management program because its contractors had illegally disposed of hazardous wastes containing benzene and other toxic chemicals. These crimes only came to light because a whistle-blower reported them to the EPA.

If the United States were in a situation, a desperate situation where our economy was teetering near collapse, we would have worried if businesses and jobs would continue because of energy shortages, where there was a serious national security demand. That is not the case when it comes to the Arctic National Wildlife Refuge. The amount of oil and energy that could be gleaned from this area is minuscule in terms of America’s security demands.

The damage that could be done to this area would be permanent. It would change it forever.

You have to ask yourself, if we have not reached such a desperate moment in our history where we have to go to a wildlife refuge and drill for oil, why are we doing it?

Some argue that many oil companies with their leases would make money. Some argue it would be good for the economy in some parts of Alaska. But I look at it from a different perspective, perhaps from a national perspective.

It is interesting to me that this energy bill which makes the Arctic National Wildlife Refuge the centerpiece of the administration’s energy policy—a refuge made for a wildlife refuge and drill for oil, why are we doing it?

We have been unable to recover from diesel spills. It is interesting to me that this energy bill which makes the Arctic National Wildlife Refuge the centerpiece of the administration’s energy policy—a refuge made for a wildlife refuge and drill for oil, why are we doing it?

We have to be aware of our dependence on foreign fuel—and we should be—are we doing the obvious? Why are we not saying that we are going to create incentives and standards so that we produce trucks and cars for America which will be more fuel-efficient vehicles?

We have to be aware of our dependence on foreign fuel—and we should be—are we doing the obvious? Why are we not saying that we are going to create incentives and standards so that we produce trucks and cars for America which will be more fuel-efficient vehicles?

In 1975, we faced an energy crisis. Congress ignored the big three automakers, and many who opposed them,
and said we are going to pass a standard to double the fuel efficiency of vehicles on the road in America. We went from 14 miles a gallon average fuel efficiency over 10 years to almost 28 miles a gallon. Some said it couldn’t be done technologically. Some said we had no right to legislate it. We did it. Fuel-efficient vehicles were on the road, with less dependence on foreign oil.

What has happened since 1995 when those new standards were implemented? Exactly nothing. We have failed to rise to the challenge of fuel efficiency and fuel economy on cars and trucks in America. In fact, we created a gaping loophole for trucks saying they wouldn’t be bound by the same fleet fuel average, and SUVs drove right into that loophole. Now there are SUVs all over the highway, with limited gas mileage burning fuel, adding to the air pollution, increasing our dependence on foreign oil. If we improved slightly the efficiency of cars and trucks just in the next few years, this debate would be totally unnecessary. We wouldn’t have to be talking about drilling in a wildlife refuge. We wouldn’t have to be talking about drilling offshore in California or Florida or other States. We would be doing the right thing for our environment and reducing our dependence on foreign oil.

But this administration will not even entertain the possibility of asking them to slightly increase fuel efficiency. “Let the marketplace work its will.” is what we hear over and over again. We have seen ample demonstration of the marketplace at work as we find larger, heavier vehicles on the road consuming more fuel and getting fewer miles per gallon. That is the trend for our future.

In our desperation, we import more oil to feed gas-guzzling vehicles, and we turn our back on the obvious needs to conserve fuel efficient vehicles. “It’s so simple, honest approaches to this problem will work.”

I come to this debate wondering if we have reached such a desperate point that we have to drill in a wildlife refuge set aside for our children, my grandchildren, and generations beyond. Have we reached the point when it comes to America’s energy security where we have no choice but to go into these areas that are so important and so pristine and engage in drilling and producing the fuels that will leave scars on the landscape forever?

From my point of view, we have not. There is a lot more that we can—simple, honest approaches to this problem which will meet our Nation’s energy needs without sacrificing so much of the valuable resources and treasures such as the Arctic National Wildlife Refuge.

I don’t know how this vote will come out of this group. It is likely to be very close. But having been there and seen what the Arctic National Wildlife Refuge represents, this Senator is going to oppose this effort to drill in ANWR.

I think we should show real leadership, leadership that calls for conservation, renewable fuels, and better fuel efficiency. And with that fuel efficiency there will be no need to compromise the integrity of such important areas in America as the Arctic National Wildlife Refuge.

I yield the floor.

The PRESIDING OFFICER (Ms. MURkowski). The Senator from Utah.

Mr. BENNETT. Madam President, I have listed with the same folks as my friend from Illinois. I am sure he enjoyed his camping experience in the wildlife refuge. I wish he had been with us about a week ago when we were in the wildlife refuge and up on the North Slope when the oil activity was going on. He should remember that oil activity in the area does not go on in the summertime. It goes on in the winter—when there is enough ice that you can drive on ice roads, and we did. You can drive to a drilling pad that is made there before—perhaps in the spring when the snow is melting—where you can see the asphalt roads and the drilling pads will disappear. All that will be left from the exploratory well is a single marker showing where the well was.

The most interesting thing to me was that I had not known before I went up there and started talking to the people who were paying attention to that area was where the areas are and the labels that have been drawn on the map. The map shows the National Petroleum Reserve—that is an area we do not hear discussed in this debate. But it is there, and we visited that. The National Petroleum Reserve and the Arctic National Wildlife Refuge we visited as well.

These are very evocative words: the Petroleum Reserve calls up images of great wells of petroleum being held in reserve just waiting to be tapped. The wildlife refuge calls up images of some of the last remnants of pristine wilderness that we have. It goes there as a haven to get away from the pressures of the world, the sum of these concerns...
they were when the pipeline was built, and by a fairly substantial margin.

I talked to some of the natives who watch the caribou. They said the thing that bothers the caribou the most are the mosquitos. They are terrible in the summer. We find caribou coming on to the gravel, because they stand under the oil platform on the gravel, there are fewer mosquitos.

The caribou like to come around. The caribou are disturbed by human activity that is going on. The oil company of Barrow said to us, look outside the town and you find plenty of caribou. The only time caribou get upset by humans and their activity is when the humans get on snowmobiles and chase into the caribou herd with rifles and start shooting them. The caribou don’t like that.

But that is the pattern of some of the people who said to us, do not disrupt our subsistence living culture. There was one Gwich’in Indian almost in tears as he pled with us, do not disrupt our subsistence culture that has gone back 1,000 years. We live on the caribou and the whale. We don’t need the oil. We live on the caribou and the whale. I thought, if you really want the subsistence living culture, it went back 1,000 years rather than this. By cutting down the shipment of diesel fuel that goes to your village, that provides you with heat and power during the wintertime.

I was most moved by the prayer of the preacher who came to talk at our meeting who said he thanked God for the caribou and he thanked God for the oil. He said, God gave us the caribou and God gave us the oil. And they were meeting in a heated room where they could gather for the town meeting that we held there under the direction of Senator DOMENICI, and then for the church service that was held there.

I asked a question, how is this heated? Where do they get the power for this? I believe, a year’s barge comes through and deposits a year’s supply of diesel fuel. They had a power shortage in that village. Everything shut down. Helicopters, rescue teams, everything was set up to try to get to them to restore the power so they weren’t sitting in their homes freezing anymore. And it was diesel fuel.

My friend from Illinois talks about the diesel spills. I think there are probably more diesel spills connected with the oil industry than there are on the oil pads and the activities of the oil industry because I saw the lengths to which the oil industry goes to try to prevent any kind of spills. I saw trucks driving around with diapers on. That is not literally true, but it is figuratively true. They had plastic pads under them in case there was any leakage out of the truck, then it did not get on to the ice and slip into the tundra. When you are unloading diesel fuel, a whole year’s supply, in the village you will have spills.

I didn’t respond to this particular Indian, tell me about your subsistence living culture, because I didn’t want to embarrass him. But I knew that his subsistence living culture meant getting on a snowmobile and going after the caribou with the rifles. I thought, the caribou would much rather have oil engineers giving them some shelter than this kind of human intervention into their lives.

A lot has been said about the puny amount of oil this would be. A lot has been said, economically, we don’t need it. All I would say here is recognizing how important this is to the people of the State of Alaska, how important this is to their economy and to their future. It won’t affect the caribou. It won’t affect the wildlife. There are millions of acres they go over without respect to any of this activity. But if we did not proceed with this, it will significantly affect the people of Alaska. As a Senator from Utah I don’t want to deprive them of that which is their cultural heritage as described by that preacher when he said God gave us this oil.

It will be extracted in an environmentally friendly fashion. I think it is time we went ahead and did it. I yield the floor.

Mr. STEVENS. Does the Senator from Colorado wish to speak? I guess we are going to go back and forth.

Mr. SALAZAR. I say to the Senator from Alaska, I would like to speak. I held 5 minutes of my time to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, I very much appreciate that of the Senator from Colorado and also I beg the Senator from Montana.

Mr. BAUCUS. Madam President, I yield 5 minutes of my time to the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, I yield the floor.

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Mr. BAUCUS. Madam President, I yield the floor.
percent cost growth for private coverage. The growth in the cost of health care in Medicaid is half the growth per person under the private insurance plans which most Americans are offered today. So Medicaid is not a wasteful program.

We also pay more for Medicaid because of the critical role it plays in filling Medicare's benefit gaps for seniors and people with disabilities.

More than 40 percent of all Medicaid spending goes to pay for long-term care, for prescription drugs, other coverage and cost-sharing for low-income individuals who are eligible for both Medicaid and Medicare. That is 40 percent of Medicare's costs, even though dual eligibles make up only about 14 percent of all Medicaid enrollees.

In essence, Medicaid picks up the tab for what Medicare should be covering. The new Medicare drug benefit should provide some new assistance with costs for the dual-eligibles. However, States will still be responsible for a substantial share of total spending in the form of so-called clawback payments.

Medicaid deserves its own policy debate, just like we had with Medicare. And whatever policy we support must address many of the challenges facing Medicaid: the growth in enrollment; rising health care costs; and the increasing cost of providing long term care and other services to dual eligible beneficiaries.

We need to get the diagnosis before we can get the prescription right. That is why I support creating a bipartisan Medicaid commission to advise Congress on how to sustain Medicaid well into the future.

By contrast, the budget resolution we are now debating would constrain us to finding savings that meet a target number—even if that means cutting services and benefits, shifting costs to states, or dramatically restructurizing the program.

The budget resolution frames these cuts as the amount that is misspent on so-called waste and abuse in the system. Without a doubt, everyone wants to make Medicaid more efficient. And everyone agrees that we need to root out fraud and abuse in Medicaid. In fact, Congress has acted to root out fraud and abuse in Medicaid every time we have discovered it. Like with upper payment limits, disproportionate share hospital payments, and provider taxes. And we stand ready to correct any misappropriation of federal funds.

But in the case of the administration's proposals, it is not entirely clear that there is evidence of abuse—or that the policy they have proposed will address the issue. For example, in the case of the President’s proposal to limit intergovernmental transfers—the Congressional Budget Office failed to score any savings. CBO lacked sufficient detail on the policy.

In fact, Senator PASSLEY and I have been asking the Administration for specific information—for over a year now—about which states are currently out of compliance with the IGT rules, and how their policy on IGT enforcement may have changed. But they have not provided the information that we have requested.

I caution my colleagues in the Senate against buying the administration's pig in a poke on this issue.

So let's be clear on what the President's proposal would do. It would change the rules of the game on how states can finance their Medicaid programs, purely simple.

And the bottom-line impact on States could be devastating. In Montana, proposed cuts in the budget resolution would result in a net loss of more than $133 million Federal dollars from state’s Medicaid program. In human terms, this funding cut could mean a loss of coverage for 2,800 seniors or more than 12,000 children.

Lost Federal funds could also mean State revenues and jobs created by Medicaid spending.

For every $1 million Montana spends on Medicaid, more than $4.7 million in new business activity is generated and just over 57 new jobs are created. Montana can ill afford to lose this business revenue and employment.

Beyond the statistics and economic impact statements, there are real people who will be hurt if we cut Medicaid.

Last month I heard from Kaaren Rizor, director of the Ashland Community Health Center in Ashland, MT, who told a powerful story about how Medicaid has helped her community and what cuts might mean for her center's ability to serve those in need. She wrote:

I can't imagine what our population in Ashland, Montana would do without Medicaid. Talk about impacting underfunded Community Health Centers! [Medicaid cuts would] mean accepting more patients for sliding fee scale discounts with no means of recouping the cost of their care.

The concept of more Community Health Centers is not going to go well, but we aren't magicians. We can't pull money out of a hat to survive.

Our clinic has tripled to quadrupled the number of annual patient encounters. Along with that, we see more and more families living at 100 percent of poverty. Without Medicaid, we carry a tremendous burden to see all who come to us, without the funds to provide quality care.

Let me reiterate that I am open to working on improvements to Medicaid. But we should not throw the proverbial baby out with the bath water. This program serves millions of people. And program cuts or funding caps will have a real impact on real people.

Finally, I would note that the House budget includes reconciled cuts in programs that affect many of your constituents. For example, hospitals, nursing homes, and home health care. And the House budget would strip Medicare funds from Medicare Advantage plans. And the Senate budget would lower the maximum Medicare Advantage premium.

It would be my fervent hope that as this Senate moves forward dealing with the Senate budget and the House budget and all the amendments that will be offered here tomorrow, we can, in fact, put this Government back on the kind of budget of
conservatism that will truly bring us back to a place where we can, in fact, pay our debts.

I want to take a minute and speak about the Social Security issue because that is a major issue that we have been debating in Washington for some time and which the President has been talking around the country, to talk about the importance of Social Security changes.

Mr. DOMENICI. Will the Senator yield for a question?

Mr. SALAZAR. Yes, I say to the great Senator from New Mexico.

Mr. DOMENICI. Madam President, do we understand the distinguished Senator is speaking on the Democrats’ time on ANWR?

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. The Senator is speaking on the budget, but, I say to the Senator, because the time that is allotted for ANWR. Does the Senator understand that?

Mr. SALAZAR. I do.

Mr. DOMENICI. I thank the Senator.

Mr. SALAZAR. I thank the Senator. Let me quickly give a little bit of what is happening, in my view, with respect to Social Security. I do so because the President of the United States will actually be, I hear, in my State next week to talk about the importance of Social Security. I think it is important that as the President talks to the people of America, he talk to the people of America, not simply to groups that are controlled with making sure that only people who have his point of view are heard on the issue of Social Security.

In that regard, it is important for the people of America to know the facts; that is, that Social Security has, in fact, worked, that we have gone from a deficit to a surplus. When you look at the fact that Social Security has created for the United States of America that I do not believe we should pass on to our children or grandchildren.

When you look at what the Social Security transition costs will be, it would even deepen the deficit further, to the point where we would have a $621 billion deficit. Now, I don’t know about you, but at least when I look at what conservative values are, one of the things about those values is having fiscal integrity and making sure that we are paying our debt. We aren’t doing that. We don’t have a long-term plan with which to deal with the deficit.

I believe it is the obligation of our National Government to make sure that we deal with the American people with candor and the kind of honesty that they deserve.

Madam President, I rise to speak about my support for protecting the Arctic National Wildlife Refuge from oil exploration and development, and also to oppose any measure included in this year’s budget reconciliation bill to open this land.

At the outset, let me say I have always believed in balance between the development of our natural resources and at the same time the protection of our lands. I had the honor of serving as the Executive Director of the Department of Natural Resources in my State for 4 years, and I worked closely with industry in the development of our oil industry. I worked closely with the State of Colorado, I worked closely with the proponents of oil and shale development to see where that resource could be taken in the future. As we move forward in dealing with the issue of energy, which is important to our country, I strongly believe we need to achieve that same kind of balance we tried to achieve during the time I was Director of the Department of Natural Resources.

Let me say that no matter what happens with ANWR—and I am going to be opposed to the opening of the Arctic Refuge—no matter what happens with respect to this issue, which will be debated tonight, tomorrow, and it will be decided on the floor, it is incumbent upon all of us to make sure what we are doing is working in a bipartisan manner to create the kind of Energy bill that will help us get rid of our dependence on foreign oil, that will help us push forward with a new ethic and era of renewable resources and conservation.

Beyond this debate, I want to work closely with leaders of both sides of the aisle, with Senator BINGAMAN and Chairman DOMENICI, to make sure that what we deliver to the President for signature is an energy bill that has the support of the American people and the support of at least most of the people in this body.

Let me spend a few minutes talking about the Arctic Refuge. First, the Arctic Refuge itself, when we think about the amount of land that would be affected and the figure that it would only be 2,000 acres. That is the footprint out of this 1.9 million acres, in area 1002; 2,000 acres would be involved in oil and gas exploration and drilling activities. The National Academy of Sciences, for example, who have looked at this, believe the amount of land that would be affected is much greater than those 2,000 acres because you have to put in pipelines and other facilities that ultimately would end up having a greater effect than just the 2,000 acres that have been talked about.

Secondly, there are the risks with respect to the transportation of hazardous materials. The Department of Environmental Conservation for Alaska last year alone said the current activity on the North Slope creates over 500 spills a year. So we will see spills and other toxic substances if this area is opened for exploration and drilling.

Third, we need to all be very candid with respect to the oil we would get from area 1002. According to the DOE’s own energy administration report dated March 2004, they predicted there would be about 3 million barrels a day that would be produced by 2015. Their projection showed that would be about 1 percent of world oil production in that year. When you look at the fact that that is only 1 percent of the world’s oil production, it means the current energy dependence that we have on oil and gas that we import from other countries would only be very marginally affected, by 1 percent.

It is predicted that instead of importing 63 percent of our oil, we would be importing only 62 percent of our oil.

So for a 1-percent solution, we are saying to the people of America that we are opening up the Arctic Refuge for exploration and development. My concern is not only with the opening of the refuge, but also what it would do with respect to other areas of special importance, including the over 500 refuges that we have all around our country, including the National Wildlife Refuges that we have in our States.

Even the major oil companies, many of whom I have met, and many of
whom I have worked with—I have friends who work there—they have expressed their own concern about drilling in the Arctic Refuge. In a recent New York Times article, dated February 21, the ExxonMobil CEO was quoted as saying during a previous interview:

I don’t know if there is anything in ANWR or not.

There are other leading industry leaders who say they do not believe that we ought to be opening the Arctic Refuge for exploration or drilling, in the sense that my colleagues believe we should move forward. Let me say I do not believe we should take what is such a precious and unique natural resource and open it for exploration and drilling, when we know that at the end of the day we are dealing with only 1 percent of the oil and gas that is needed in this country.

Let me conclude by saying I believe we need a new energy vision that frees America of our dependence on fossil fuels and also provides alternative resources for research and development and alternative sources. We need affordable, cleaner, and safer energy, and a policy that protects special places in wilderness. We need the opening of areas that do have oil and gas in them, but from my point of view that does not include the Arctic Refuge.

I believe opening the Arctic would also reinforce the view that we as a nation lack a commitment to humbling ourselves and our world. It is only God that has bestowed upon this Earth. We are, at the end of the day, merely stewards of those gifts. I want to make two quick points here. The budget projections that have been used in this budget reconciliation measure are, from my point of view, fantasy. I think to base our Nation’s revenue projections on the opening of the refuge is not candid and not fiscally responsible. The Department of the Interior’s 2006 budget assumes that the measure will provide $2.4 billion from the first lease sale in 2007—$2.4 billion from the first lease sale in 2007. For the Federal Government to realize $2.4 billion, the leases would have to sell for between $1,000 and $2,000 an acre. That is not going to happen. This is not the fiscally responsible way that we should be moving forward as we develop the budget for the following year.

Let me conclude by reading the letter written by President Jimmy Carter concerning the Arctic wildlife area:

Dear Senator Salazar:

This year marks the 25th anniversary of my signing the Alaska National Interest Lands Conservation Act into law. I am proud to have been a part of crafting this landmark legislation, which is widely recognized as the most extensive land and wildlife conservation action in American history. Now it seems possible that some in Congress may try to subvert parts of ANILCA by inserting a provision in the fiscal year 2006 budget resolution to circumvent normal legislative procedures and allow for oil drilling and exploration in the coastal plain 1002 area of the Arctic National Wildlife Refuge. I have been fortunate enough to visit the coastal plain of the Arctic refuge as tens of thousands of caribou passed around me in their timelessness into their vital calving and nursery grounds—the very area targeted for oil development. I have watched a herd of Musk oxen circle their young to protect themselves. I believe this behavior will not save them from industrial development. The same is true of the polar bear and the millions of migratory waterfowl that nest on this coastal tundra. This is their wilderness home.

I urge Senators to vote for removing any provisions from the fiscal 2006 budget resolution that would open the Arctic refuge Coastal Plain to oil development. Keeping the Arctic refuge wild and free of development is part of fulfilling our moral obligations, not only for the present but for future generations of Americans who will be grateful for our foresight and stewardship in protecting their interests. Sincerely, Jimmy Carter.

How much time do I have, Madam President? The PRESIDING OFFICER. There is 19½ minutes remaining on the Democratic side.

Mr. SALAZAR. I will take 30 seconds. At the end of the day, I believe there is a very balanced approach to how we develop our resources. I am a person who has supported development of our energy resources. I do not believe that the Arctic Refuge is a place we should go to for development. I say that with all due respect to my colleagues from Alaska and my colleague from New Mexico and my other colleagues on the other side on this particular issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, I am sorry I did not have a chance to visit with the Senator from Colorado sooner, but I would like to disabuse him of two things. The 1002 area is not wilderness, and 1002 is not within the wildlife refuge. That section specifically excludes it from the wildlife refuge until the period of oil and gas exploration is over.

There is no question we have a difference of opinion, but I do hope we will stick to the facts. As a matter of fact, the Senator just read President Carter’s letter. I am writing a response to President Carter because I also received that letter. I stood in the White House with him as he signed the bill in 1980. He did not want that bill to come to him before the election. He asked Congressman Mo Udall to hold it up until after the election because he believed he could not sign it if he was re-elected. When he was not re-elected, he did sign it, and he put into law the sections that pertain to this area and the overall refuge, but sections 1002 and 1003 specifically exclude this area from the refuge until the oil and gas exploration is over.

There has historically been support for utilizing Alaska’s oil interests to increase our national security interests. Senators Mark Hatfield and Henry “Scoop” Jackson, who both represented northwestern states, agreed that the development of the North Slope was vitally important. They stated that the Alaska National Interest Lands Conservation Act and, in particular, the provision keeping the Coastal Plain of ANWR open for development was—this is their statement, and some of them said—Jackson:

It is crucial to the Nation’s attempt to achieve energy independence. One-third of our known petroleum reserves are in Alaska, along with vast deposits of coal, such as preventing even exploration of the Arctic wildlife range is an ostrich-like approach that ill serves our Nation in this time of energy crisis.

That was the statement of two northwestern Senators, including Senator “Scoop” Jackson.

We are now at a critical juncture in terms of our energy dependence. The United States is at the mercy of the Middle East and others for our energy needs. As a matter of fact, today OPEC met in Iran to determine how much oil and at what price they would sell it to us.

Opening of ANWR would reduce U.S. dependence on foreign oil which we rely on for over half our oil needs today. This development alone would reduce U.S. dependence on foreign sources of oil by 4 percent, not 1 percent, and would be produced from only 200,000 acres. The 10.4 billion barrels of oil that is estimated to be in this area translates to 436 billion gallons, and that is enough oil to fill up every car in America 115 times. Let me repeat that.

People say there is not any oil. There is enough oil there to fill up every car in America 115 times. At 867,000 barrels a day, it would create 36 million gallons of gasoline, jet fuel and diesel fuel, heating oil, medicines, plastics, surgical devices, and other products vital to our Nation.

There is no question there has been a lot said here that is misleading. I have in my hand something given to me before I came to the floor. It is from our colleague JOHN KERRY. It says:

Senators and Representatives are working together to pass legislation through the Senate approving oil drilling and they are incredibly close to winning.

It goes on to say some things here that are absolutely not true, but it does pinpoint seven of our colleagues and asks for people to call them and put pressure on them now. It asks for an emergency donation right now. What for? We are going to vote tomorrow. I do not know why they need emergency donations.

Beyond that, it says:

Of course, the Arctic Refuge supports more than wildlife. For a thousand generations, the Gwich’in people of Northwest Alaska and N.W.T. in Canada have lived on it and lived in harmony with it. To them, the Arctic Coastal Plain is sacred ground.

They do not even live there. They live on the South Slope of the Brooks Range. The Gwich’in people have nothing to do with it. They only thing they have to do with it is they harvest some of the caribou that come up the Porcupine River and go up to

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the North Slope about every year. But several years of the last 10 years they have not come up at all because they are hunted so hard by the Gwich’i in people in Canada that there is not enough left of them to travel. The misinformation here is staggering, really staggering.

Above all, I think we ought to get down to talking about what Eisenhower did. I was the solicitor of the Interior Department during the Eisenhower administration. I helped write the order that created the Arctic Wildlife Range in 1960. It was approved by President Eisenhower. It created an Arctic Wildlife Range open to oil and gas exploration and development specifically. When we had the great argument in the 1980s—really the late seventies, leading into 1980—about the Alaska National Interest Conservation Lands Act, the question was should that area, the 1.4 million acres in the Arctic, be left open to oil and gas development as it had been left open by President Eisenhower’s administration. I fought and fought, and I finally got the agreement with Senator Jackson and Senator Tsongas that, yes, that area should be left open under the conditions. One, we had to have an environmental impact statement and, second, we had to have the approval of the President and the Congress of that impact statement. We have tried now for 24 years—24 years—to have the Congress approve that.

I heard the Senator from Colorado. I have had family connections with Colorado in the past, and I have great respect for the service in Colorado. It may interest him to know that I was the first person to testify in favor of the wilderness before the Senate on behalf of President Eisenhower. We value wilderness in our State, but this is not wilderness. It is specifically not wilderness. It was specifically kept out of wilderness.

Let me put up a chart. I want to point this out to the Senator. This is the Eisenhower I knew and for whom I worked. It was his World War II poster.

Talking to the oil workers of America: Their work is vital to victory . . . our ships . . . our planes . . . our tanks must have oil.

That’s why, in the 1970s, when we tried to get the Alaska oil pipeline built, there was never even a hint of filibuster. No one, not one Senator mentioned a filibuster.

Instead, we all knew it was a security aspect that we were dealing with. It was oil, oil that we needed. We had an embargo from, I think, November to March. We had no imports of oil.

That could happen again. Again, I point out where they are meeting. They are meeting today in Iran.

The letter President Carter wrote said:

It seems possible some in Congress may be trying to subvert parts of ANILCA by inserting provisions in this budget resolution designed to circumvent normal legislative procedures.

The only reason we have been doing it is because it has been filibustered for 24 years—24 years. This is the first chance we have had, really, to keep it in this resolution. We did try it once before and when we did it before in the last Congress, no one accused us of sneaking. That is a sneaky thing to do.

I asked unanimous Senator KERRY’s flier be printed in the Record after my remarks, so people can see the depth to which people are going to accuse us of somehow doing something wrong.

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

(See exhibit 1.)

Mr. STEVENS. We are trying to carry out the provisions of the 1980 act that allowed us to explore and develop this 1.5 million acres.

It is a difficult thing for some of us to be accused of trying to subvert, to circumvent normal legislative procedures.

President Carter indicates that this is a wilderness. It is not a wilderness. I stood in the White House with him and he acknowledged it then, the Jackson-Tsongas amendment was in the bill he signed in 1980, after the election—after the election.

I don’t know where you are, President Carter, but I wish you would tell the truth. Tell the truth to the American public. This is an area that was left open to exploration.

I have here a chart. I don’t know how many people can see it. I hope the Senator can see it. It is the wilderness area of the old range, all of it except that portion that was named wilderness. If you look at this chart, the new addition made by President Carter was not made wilderness. There are 18 million acres there; 1.5 million acres were left for oil and gas exploration and the balance of the 8.6 million acres is wilderness. We do not oppose that wilderness. That was wilderness that we accepted as a designation because of the fact the area that was in the oil and gas province was left open to exploration.

It is not wilderness. The problem is, the people who live on the North Slope—there was one young lady with me in the press conference who lives in Kaktovik. It is in the 1002 area, but it is not wilderness; it is coastal plain and specifically open to oil and gas exploration.

Madam President, how much time have I used up?

The PRESIDING OFFICER. The Senator has used approximately 10 minutes.

Mr. STEVENS. Let me know when I use 3 more minutes, please.

I want to tell the Senator, one of the friends I had here in the Senate in days gone by was Senator Jim Buckley. Senator Jim Buckley left the Senate and became a judge. He is a judge in New York. He sent me this letter. You read a letter. Let me read you a letter from Jim Buckley.

Dear Ted, twenty-six years ago, after leaving the Senate, I was a lead signatory in full-page ads opposing oil exploration in the Arctic National Wildlife Reserve that appeared in the New York Times and the Washington Post. I opposed it because, based on the information then available, I believed that it threatened the survival of the Porcupine caribou herd and leave huge, long-lasting scars on fragile Arctic lands. Since then, caribou populations in the areas of Prudhoe Bay and the Alaskan pipeline, which demonstrates that the Porcupine herd would not be threatened, and new regulations limiting activities to the winter months and mandatory ice roads and directional drilling have vastly reduced the impact of oil operations on the Arctic landscape.

In light of the above, I have revised my views and now urge approval of oil development in the 1002 Study Area for the following reasons.

In light of proper management, I don’t see that any significant damage to arctic wildlife would result, and none that wouldn’t rapidly be repaired or overcome.

2. While I don’t buy the oil companies’ claim that only 2,000 acres would be affected, even if all of the 1.5 million-acre Study Area (to a much lesser degree) strategic masking to deny ourselves access to what could prove our largest source of a vital resource.

Having visited the Arctic on nine occasions over the past 13 years (including a recent camping trip on Alaska’s North Slope), I don’t think I can be accused of being insensitive to the charms of the Arctic qua Arctic. I just don’t see the threat to values I cherish.

There is the man who signed the ads. He started the drive. He literally was the one who started the drive that eventually, yes, now has lead that is the drive to prevent us from carrying out the intent of the 1980 Alaska Lands Act.

I will have a lot more to say about this tomorrow. But above all, I wish people would start telling the truth.

No. 1, it has never been wilderness. No. 2, it has been open to oil and gas development since the Eisenhower days and remains open. It only takes the approval of Congress to end that. No. 3, the Gwich’ins don’t live on the North Slope. The Gwich’ins are not residents of this area. And, No. 4, it has not been harming and would not harm the caribou. The caribou around the oil pipeline have increased from 3,000 to over 30,000 in the central Alaska herd. We are not bad stewards of our lands. We have protected more wilderness than all the rest of the Nation put together. We have been good stewards of our land. We have managed our wildlife responsibly. We can’t be ridiculed to be put on trial because of a group of professional, extreme environmentalists who make money.
Look. Senator KERRY is sending out requests for them: Send money in now. You need money. You need money to fight this because this is going to be voted on tomorrow.

It is preposterous. Again, I am sure I did not get to visit with my friend from Colorado. I admire Colorado. I admire Senator Cantwell, who knows what they have down there. You should come see our wilderness areas. We have wilderness areas, a great deal more than you have seen in all the wilderness areas. We have wilderness areas, a friend from Colorado. I admire Colorado.

I admire the Johnkerry.com website, where we hope to reach people by our side. It is posted on the Roll Call of the Senate. First of all, take part in a massive fast-moving display of citizen support for the Arctic Refuge. Sign our Cantwell-Kerry Citizens' Roll Call now at http://www.johnkerry.com/RollCall.

To make our Citizens' Roll Call impossible to ignore, we have alerted the media, environmental advocates and my fellow Senators to a rolling display of the names and home towns of the roll call signers. It is posted on our johnkerry.com website, where we hope to soon join the signals of a running tally of the number of citizens on our Citizens' Roll Call.

2. Bring the fight to the home states of the seven senators. We need to launch emergency online advertising campaigns in the home states of those seven critical senators: Senator Coleman (MN), Senator Smith (OR), Senator Martinez (FL), Senator Lugar (IN), and Senators Gregg and Sununu (NH).

We need your help to bring our Save the Arctic Refuge message home in these six states. Help us fund an emergency ad campaign to make sure they know how strongly the people of America feel about protecting the Arctic. Please make an emergency donation right now at http://contribute.johnkerry.com.

When Senator Cantwell, myself and other Senators stand up in support of the Cantwell-Kerry amendment, we will have powerful arguments on our side. (I have recapped some of those arguments at the end of this email message.)

But, to win, we need to be able to report directly to our colleagues that massive numbers of citizens around the country—and in their own states—are rising up to demand that the Senate protect the Arctic National Wildlife Refuge.

That’s why your immediate signature is so critical. http://www.johnkerry.com/RollCall.

The Bush Administration and its oil industry allies want to send a message that they can drill for oil wherever and whenever they want to—even if it means targeting a place as striking, pristine and irreplaceable as the Arctic National Wildlife Refuge.

They don’t care about putting America on a genuine path to energy independence. If they did, they would increase our energy conservation and to create clean, renewable sources of energy that no terrorist can sabotage and no foreign government can seize.

Let me be very direct with you. It is going to take an immediate and impossible-to-ignore display of grassroots support to stop them. That’s why the Cantwell-Kerry Amendment Cantwell-Kerry Amendment Citizens’ Roll Call is so crucial.

Thank you for acting quickly on this vital request.

JOHN KERRY

F.S. Senator Cantwell, who comes from a state in the heart of the Pacific Northwest, has—at considerable political risk—courageously stepped forward to join me in leading this fight. We need you to help us win it.

Here are your save the arctic refuge talking points:

The Arctic National Wildlife Refuge’s 19 million acres comprise one of the last places on earth where an intact expanse of arctic and subarctic lands remains protected.

Drilling in the Arctic Refuge can’t make even a small dent in meeting America’s energy needs. U.S. Geological Survey scientists estimate that there is very likely only enough oil to supply America’s needs for six months. And oil companies admit that, even then, they won’t be available for at least 10 years.

An irreplaceable natural treasure, the Arctic Refuge is home to caribou, polar bears, grizzly bears, wolves, golden eagles, snow geese and millions of other birds use the Arctic Refuge to nest and as a critical staging area on their migratory journeys.

Of course, the Arctic Refuge supports more than wildlife. For a thousand generations, the Gwich’in people of Northeast Alaska and Northwest Canada have depended on it and lived in harmony with it. To them, the Arctic Coastal Plain is sacred ground.

The PRESIDING OFFICER (Mr. DOMENICI). The Senator from Colorado, Mr. SALAZAR. Mr. President, I yield myself 2 minutes of our time.

I very much respect my colleague from Alaska, not only for his heroism for our country but also for his leadership on a whole host of issues. I very much look forward to working with my colleague from Alaska. I just want to respond to one point my colleague raised. He went through a very eloquent statement about Alaskan interests and the legislation and history with respect to this area.

When you read the law specifically from 1980, it says:

The area within the refuge will not be subject to any exploration, or any production of mineral leasing laws of the United States.

That was in 1980. It happened that they ended up with that consensus language in that legislation because there was not consensus about what ought to happen with respect to the ANWR area.

Today we are you exactly the same place.

I suggest to my esteemed colleague from Alaska that we are having this debate on this floor today as part of the budget reconciliation measure because we have not yet as a country been able to come to a consensus on how exactly to treat the area 1002. If we had moved forward in a manner that would have arrived at a consensus on that topic, we might have arrived at when they wrote the legislation in 1980, we might be in a different place today. But we are not there. There is still an absolute lack of consensus on the part of this Senate on whether the people’s representatives have a right to decide how we ought to move forward with respect to area 1002.

I yield the floor.

Mr. STEVENS. Mr. President, had the Senate been there, he would understand, as I have said, that Senator Jackson and Senator Tsongas said we will go ahead when the Congress and the President approve the environmental impact statement. Section 1003 spells that out. The land is not available for leasing until that is true. But it is not wilderness, either. It is not refuge, either. That is the difference.

The PRESIDING OFFICER (Mr. TALMADGE). Who seeks time?

Mr. STEVENS. Mr. President, from Alaska is recognized.

Ms. MURKOWSKI. Mr. President, I would like to continue with the discussion about the wilderness and designation within the refuge. Senator STEVENS certainly will not be able to respond to one of my colleague’s comments, but I think it is worth a few minutes so people understand what ANWR is, what the Arctic National Wildlife Refuge is.

It is this colored section up on the northeastern part of the State. It is an area in total of 19.6 million acres. It is an area the size of the State of South Carolina.

Within the refuge itself, there are three different designations. You have the refuge itself, which is about 10 million acres. You have the wilderness designation area here, which is 8 million acres. Then up here, you have the reserve area, as Senator STEVENS has indicated, that portion, the 1.5 million acres that was set aside for the purpose of study for exploration of potential oil and gas.

When we talk about ANWR, there is, I think, a confusion. The Gwich’in people are referred to as living within ANWR. In other words, are separated by a massive mountain range, the Brooks Range, which is here. They are down here in this section of the refuge, nowhere near the Coastal Plain. The 1002 area has been specifically set aside.

It is important that we talk about the specifics within the refuge designation, and recognize that as far as wilderness goes, those areas that are set aside for wilderness will not be subject to any kind of exploration activity. Those areas will not be subject to any exploration, or any production activity. It is only this area up here. It is within this area here that we...
are talking about exploring on 2,000 acres. Out of the total area the size of the State of South Carolina, we are looking at a coastal plain about the size of the State of Delaware. And within that size of the State of Delaware, we are talking about 2,000 acres, or little less than a medium-sized farm in South Dakota.

It helps to put it into perspective when we are talking about oil exploration on the northern plain.

I would focus my comments tonight on three areas: energy security, economic security, and environmental security.

Senator STEVENS touched on the energy security component, recognizing we are currently 58 percent dependent on foreign oil; that we here in this country are waiting to see what the OPEC nations are going to do and how that will affect us and our economy.

This dependence is expected to pass the two-thirds mark within 20 years. This is unacceptable to our national security. We are in a position to do something positive. We need to recognize that by moving forward on the domestic level to produce our own resources—our own oil—we can make a difference.

There have been those who have suggested that the amount of oil potential up in the Coastal Plain is miniscule; that somehow or other it is not worth it to explore and to drill in this region. Let us talk a little bit about what is there for us in terms of the resources, the jobs that can be created, and the economic benefit with the potential we have in ANWR right now.

To suggest this amount of oil is not going to help us in this country is akin to suggesting that all of the oil we receive from east Texas isn’t worth it because it is not able to sustain this country, it is not able to give us the energy independence we need. That is a ridiculous argument.

Putting into context where we are getting our oil right now, if we are 50 percent accurate with our projections of the potential in ANWR, we are looking at a million barrels a day going into our pipeline. That is about 25 years worth of oil that we currently receive from Saudi Arabia. Twenty-five years worth of oil that we are receiving from Saudi Arabia is equivalent to what we could expect out of ANWR, if we are 50 percent accurate in our projections.

To suggest somehow this is not something we should do because there is not enough there is not an argument that makes sense. Giving up ANWR’s likely oil is like saying we as a nation should never have bothered opening up the Prudhoe Bay oilfield in Alaska because Prudhoe would only supply us with 3 years’ supply of oil. In fact, Prudhoe has provided America up to a quarter of our domestic oil supply for the past 28 years.

With our recovery methods, when we thought initially Prudhoe was going to be recovering 35 percent of our oil, we are now up to a recovery rate of about 65 percent. To suggest that the amount is minimal is not being realistic.

Let us talk about the economics in terms of our ability to stabilize our energy crisis: generating more than $30 billion in Federal revenue, probably several billion dollars within 4 years of opening of ANWR.

Talking about our deficit, as we are dealing with the budget, it would reduce our payments of deficit—the remainder of our payments of deficit—because we are not going to be buying as much oil overseas. Last year alone as, we paid nearly $166 billion for oil overseas. That is a quarter of our trade deficit.

When we talk about $30 billion-plus a year, it is important to America. The jobs will come. We keep talking about hundreds of thousands of jobs, but the fact is when we produce domestically, everybody benefits. The jobs across this Nation will increase.

The other economic benefits, the reason that we are supporting us on opening ANWR, is it stabilizes everything, from the cost of planting in the springtime to the thousands of products that are made from oil, whether it is anti-asthmatics, cosmetics, or compact disks, or heart replacement valves. The list goes on and on, to recognize the economic benefit to us as a nation of opening ANWR. American farmers last year lost $6.2 billion of income because of higher fuel and fertilizer costs.

We recognize we have an opportunity here to make a difference. To downplay it and say, Well, it is only so many months’ worth of oil, or it is not enough to make a difference—again, if you would suggest the oil we have received from Texas for these many years is not significant, if you would suggest the oil we have received, 20 percent of our domestic supply from the North Slope from Prudhoe Bay, is not significant, we have to put all of this into perspective.

You have energy security. By producing more of our energy needs here in the country, you have economic security that ANWR brings.

We also have the environmental side. My colleagues on both sides of the aisle have talked about the caribou and the effect on the environment. I live there. My family lives there. I am the last person in the world who wants to see any animals suffering. But look at what we do in other areas, like Russia, from Venezuela, from Africa, where they did not care for their environment. To use the phrase of some on the other side, think globally but act locally. This is a perfect example of where we need to do just that.

I look forward to the rest of the comments from my colleagues and further debate tomorrow.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from New Mexico is recognized.

Mr. DOMENICI. How much time does the other side have, and how much time do we have left?

The PRESIDING OFFICER. The other side has 16 minutes 37 seconds, and you have 16 minutes 48 seconds.
Mr. DOMENICI. And now the time goes to the Democratic side.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico yields the floor.

The Senator from Washington is recognized.

AMENDMENT NO. 168

Ms. CANTWELL. Mr. President, I send an amendment to the desk. I have sent an amendment to the desk that I am offering to strike the language from the budget resolution the reconciliation instructions to the Energy Committee that assume Arctic drilling. Specifically, under the instructions, the Energy Committee must report legislation by June 6 at the latest that produces $2.7 billion in revenue from 2006 until 2007.

The PRESIDING OFFICER. If the Senator will suspend.

Mr. DOMENICI. We object to the amendment. It is not in order. There is a consent decree.

The PRESIDING OFFICER. The Chair has been advised we cannot accept your amendment right now without unanimous consent.

Ms. CANTWELL. We had a unanimous consent earlier to agree to debate the amendment, and I thought it would be wise to put the amendment on the desk.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

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

Mr. DOMENICI. Mr. President, I objected, but I understand this is a motion to strike the ANWR provisions, and we have no objection. That is business.

Is that correct, Senator?

The PRESIDING OFFICER. The Senator from Washington is recognized again. The amendment has been sent to the desk and the clerk will report.

Ms. CANTWELL. I hope you have no objection, but tomorrow at 1 o'clock you might object to the amendment, but thank you for allowing us to lay it down.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senate from Washington [Ms. CANTWELL], for herself, Mr. KERRY, Mr. LIEBERMAN, Mr. FEINGOLD, Mr. JEFFORDS, Mr. LUTTENBERG, Mrs. BOXER, Mrs. FRINSTEIN, Mrs. MURRAY, and Mr. CORZINE, proposes an amendment numbered 168.

The amendment is as follows:

(Purpose: To ensure that legislation that would open the Arctic National Wildlife Refuge, other federal lands, and the Outer Continental Shelf to oil drilling receives full consideration in the Senate under regular order, rather than being fast-tracked under reconciliation procedures; to ensure that receipts from such drilling, including revenues from federal lands, are fairly shared with local jurisdictions; and does not occur unless prohibitions against the export of Alaskan oil are enacted.)

Strike Section 201(a)(4).

Ms. CANTWELL. Mr. President, I thought for the benefit of my colleagues we would lay that down tonight so people could understand the amendment and we could continue debating it in our time this evening and continue debating it tomorrow. I hope that clarifies issues for my colleagues.

I start by saying a word to the Senators from Alaska because I think both Senators from Alaska have been diligent in their advocacy for making sure the issues they would like to represent are heard in this debate, and that the accuracy of information provided is correct. I certainly applaud them for that. But, I certainly don't diminish the difference of opinion that we still have in this country as it relates to where this country should go on an energy policy.

I believe our energy policy must be very aggressive in creating a future for new energy technology and renewables, in making us less dependent on foreign oil, and, specifically in continuing to diversify off of our country's dependence on oil in general.

I may have a different opinion about what I think our energy strategy should be. If the last generation of Americans were smart enough to put a man on the Moon, this generation of Americans ought to be smart enough to get off our overdependence on foreign oil, and, specifically in continuing to diversify off of our country's dependence on oil in general.

I have given you my reasons why I do not think we should authorize on the budget requiring that we produce revenue, where will you go next? And clearly, I do not think the discussion of opening up leasing off the coast of Florida or the coast of California or even ANWR belongs in the budget resolution. I do not think we should legislate in the budget resolution. To me, the process of having this debate now is very bothersome. But I understand there are some who will continue to push this until they find a way to make this proposal a reality.

I do not think anybody can say our side of the aisle cannot be concerned about this type of tactic. I simply say, we should vote for my amendment tomorrow and push it down and start a real discussion on the energy bill.

The senior Senator from Alaska, I know, is very concerned that this not be referred to as a wilderness area. He is right. It is a wildlife refuge. He is right. It is a wildlife refuge. It is not a wilderness area. One of my colleagues would like to make it a wilderness area, the Senator from Connecticut, Mr. LIEBERMAN, and he has proposed legislation to do that. We should start incentivizing other types of energy supply and move ahead.

That is why I find this particular process to be an end run on energy policy and energy discussions. In fact, I think it is somewhat absurd that we can simply mandate the opening of ANWR by putting language in the budget, by simply saying: Let's put the revenue in the budget, and by doing that, we will then start the process for legislating that ANWR could be opened.

The reason why that is so bothersome to this particular Senator—think, for example, if in the next budget we put revenue in there expediting timber sales in our National Forests or basically expediting the leasing off the coast of Florida for oil production. Or, God forbid, why don't we put revenue in the resolution recognizing oil leasing in Yellowstone National Park, even though it is a National Park? Why don't we do this process by continuing to put revenues in the budget resolution?

Well, I think the energy debate deserves far more attention than simply adding language in the budget resolution demanding the Energy Committee report a bill capture this revenue. I think that is what other people have started to see about this proposal. In fact, the New York Times recently ran a story about this, the refuge drilling, and basically pointed out:

Others who advised Mr. Bush on his energy plan said including the refuge was seen as a political maneuver to open the door for more exploration of energy possibilities off the coast of California and Florida. So my first question is, if we don't stop this now, where does this stop in the future? I ask my colleagues, both Democrats and Republicans, if today they are going to allow the opening of ANWR by simply putting language in the budget requiring that we produce revenue, where will you go next? And clearly, I do not think the discussion of opening up leasing off the coast of Florida or the coast of California or even ANWR belongs in the budget resolution. I do not think we should legislate in the budget resolution. To me, the process of having this debate now is very bothersome. But I understand there are some who will continue to push this until they find a way to make this proposal a reality.

I do not think anybody can say our side of the aisle cannot be concerned about this type of tactic. I simply say, we should vote for my amendment tomorrow and push it down and start a real discussion on the energy bill.

The fact of the matter is, in 1980, section 1003 of the Alaska National Interests Lands Conservation Act specifically prohibited oil and gas development in the entire refuge or the leasing or development leading to the production of oil and gas from the range unless authorized by Congress. So that is what we are here debating: unless authorized by Congress.

I have given you my reasons why I do not think we should authorize on the
budget resolution this significant of an action without discussing energy policy and the impacts of opening up ANWR on the refuge. I personally think there are many things we should be doing to attain our energy future. I think that there has been much of this discussion, and we should be far more interested in us as a country because a lot of people are trying to argue that we should do this now because it is an energy supply and it is national security. We all can tell you, senator, along with my fellow western senators, is outraged over the price of gasoline in America. We are a state such as Washington, where we have four refineries, we are the closest to the supply that you could get, and yet we have some of the highest gasoline prices in America.

So what this senator would like to see—just as I have forced and pushed, and will continue to speak out on market regulated electricity prices—I believe we should do our homework and make sure we are holding those responsible accountable as to: Why do we have this diversity of gasoline prices when there is so much available supply right in our backyard? I know the Senator from Oregon, WYDEN, has asked for investigations into these high gasoline prices, and threatened to hold up various nominations over the issue. I have certainly put questions to various members of the Department of Energy, the Department of Justice, and to our own State’s Governor, and will continue to do so, because I think the price of gasoline is outrageous.

The Senator from Oregon is not a supporter for opening up the PRO. I agree, we should have energy for energy security, an energy supply. I think people have made that point and made it well. But I want to see us continue to diversify into other areas. So this is not going to join the Alaska Senators any day of the week to talk about the development, the delivery, the execution, and expedited access to Alaska natural gas. We need to have natural gas. If there is any proposal that deserves an expedited review by this body, it would be to get that production to the United States at a faster rate.

Let me remind my colleagues, when security was a national debate in the 1970s, when we were all at the gasoline station, when prices were rising, and we were seeing refugees, and the nation was facing shortages, oil shipments were reduced to the United States at a faster rate. This body, it would be to get that production to the United States at a faster rate. The PRESIDING OFFICER. Sixteen minutes have been used. Mr. DOMENICI. How much time do we have?

Mr. DOMENICI. Sixteen minutes forty-two seconds. Mr. DOMENICI. Mr. President, I had two Senators who wanted to speak. I yield the floor.

Mr. ALEXANDER. Why doesn’t the chairman take the time? Mr. DOMENICI. I will try to leave some time for the two of you. Tomorrow morning, we have a total of 45 minutes before the vote, starting somewhere around 9:45. If you don’t get your time tonight, maybe you can call and see how much time you can have then. Mr. President, let me suggest that the distinguished Senator who just spoke said she was outrageous because the gasoline was so high in her State. I might say to the distinguished Senator, if she is outraged today, I don’t know what she is going to be
years from now because if we don’t start doing something, as President Reagan once said, “you ain’t seen nothing yet.” That is what I am going to tell the Senate and people of this country about gasoline prices.

Let me say the last thing I want to say. The truth is, this great United States of America has made a gigantic blunder, and we don’t know how to get out of it. Certainly, one way to get into it deeper is to take a piece of America, like this 1.5 million acres which is supposed to be explored for oil and gas—and keep that kind of property closed and not produce crude oil.

Let me assure everybody here that there is no one who knows how to get off of crude oil very quickly. In fact, I don’t think anybody knows how large that property in Alaska will ever be off of oil as a means of transportation and for many other things. I hope we get an energy bill that provides conservation. I hope Americans start driving small cars. I hope we talk about the 1002 area we are discussing in terms of the potential for 1 million barrels a day, will be the most significant onshore production capacity of any potential new onshore area in the United States—a brand new one. ANWR is by far the most promising site for onshore oil in the United States. You might say, since I learned that ANWR is so little, maybe America doesn’t have much oil, and we should just not worry about having any.

Well, you have to keep in mind that we say to my good friend from Colorado, every single suggestion that anyone has made about how we can reduce our dependency ought to be adopted. If you think we ought to conserve, conserve, conserve, I think we ought to produce more crude oil, produce it. None of these potential solutions are going to be enough because we are now struggling over the fact that we are importing so much crude oil. I heard a Senator say today that we might consider ANWR if we were collapsing.

Well, we won’t know when we are collapsing, but we are pretty close. Right now, we are importing about 58 percent of the crude oil from a world that is in trouble. Countries are fragile, and war might occur in others, and here we go along our merry way importing more and more oil. Petroleum imports are expected to reach 69 percent in the year 2025. Then we get a chance to produce 1 million barrels a day, and we are immediately confronted with those who say that is not very much. Why do we want to produce a million barrels of oil? Well, you know, this great United States is consumed of oil. 10 billion barrels a day and is currently only 11th on the scale of the most reserves on down the line. We are 11th from the top in the amount of oil reserves we have in our country. That is almost insignificant compared to Saudi Arabia. Saudi Arabia ranks first in proven world oil reserves with 260 billion barrels. However, our reserves are only about 21.9 billion barrels.

I say to my good friend from Tennessee that the 1002 area we are discussing is estimated to have about 10 billion barrels of oil—that is very probable. Just do the arithmetic. Our country’s entire oil reserves amount to 21.9 billion barrels. This area in ANWR will produce 10 billion barrels. Insignificant? they say? Add the two together and we could have 31 billion barrels in reserves. Again, this property will comprise 10 billion barrels of oil. That is one-third of the reserves of America that we are being told it is insignificant. That is like saying all the oil we have in America is insignificant. Why don’t we close Texas down? That must be insignificant. It must be insignificant because if the world could not produce enough oil to supply the world, they are mistaken. But conversely, if a Budget Committee says we need additional revenue and we would like the Energy Committee an instruction that says produce new revenue, for example produce revenue that flows about like this: 400 million, 600 million, 2 billion in each of these years, that is what the Senate voted on when we pass a budget.

The instruction comes to the Energy Committee and it says ANWR receipts will produce a certain amount of money, therefore, write a bill in response to that order. The reconciliation process is that we produce that amount of revenue. That is absolutely legitimate. That is what the Budget Act has been used for in the last 27 years.

I regret to say there are some who do not think that is how reconciliation ought to be used, but they lost that argument a long time ago. That is long past. The Senate wrote an act and we are living with it. I have already told them over 50 times in the past 20 years: You said this was a way to avoid filibuster. You said this was a way to avoid prolonged debate. Now we are using it. That is what we are doing here. There is absolutely nothing that says it cannot be done.

So the next time you have about what else might be done, we will take them up in their proper time, and if they come up, they come up.

This one we already did. We sent it all the way to the President as a reconciled bill, and then President Clinton vetoed it after it was done. If the President had signed the bill, oil from ANWR would currently be flowing and our dependence on foreign oil would be much less.

I want to say that these letters being circulated by Senator Kerry and President Jimmy Carter, those very activist environmentalists, will have nothing to talk about tomorrow when we win this, and 4 weeks from now when we produce the bill. They have not understood we have been trying for 24 years. A filibuster means we have to have 60 votes, unless there is a procedure which permits us to do otherwise.

I say to my friend, the Senator from Colorado, this is not simple, not it is profound. It is very cumbersome. There is a lot to it, but it is absolutely proper. It means that if this million barrels of oil a day is important enough, we
will do it with a simple majority, but we still have to have a majority. We will put it in a bill, it will go to the President, and if the President wants to sign it, he will sign it. If he does not, it will not become law.

I did not expect to be accusing anybody about doing this in a tricky manner or in some untoward way because such is not the case. It just is not the case.

Tomorrow I will talk, for those who want to listen, about why we will do so little harm, if any, to the environment, and why there is no project, including Prudhoe Bay, that we can go see that shows what this is going to look like with new technology. There are none. It is absolutely so different from what we have ever done before that it is going to be amazing.

I close by saying those of us who went to Alaska saw a production facility called Alpine. The Senator from Tennessee, Mr. Alexander, did not go with us. I wish he had. The 96 acres of land at Alpine had upon it the entire oil production facilities—the oil wells, not one but several so close together that it looked almost like a row of outskirts at a public park. Each outhouse has a sign that is how little it was—an oil well. Each oil well had six or eight wells underground.

I will show one of those tomorrow. That little 96 acres had no roads. Instead, ice roads were built in the winter that melt away in the summertime. There are no roads to it because they have melted. The facility produces 120,000 barrels of oil a day because under that little piece of property are wells that go down 7,000 feet, find the oil, and go up 4½ miles and drain the field. There is another one that goes down, and there are five new wells sprout out from under it, and coming out of the wellhead is 3,000 to 4,000, 5,000 barrels a day from another one that has been getting that for a long time.

It seems to me that it is rather ironic that we are all here talking about a crisis. We are suggesting it is not a big enough crisis to worry about a million barrels a day. We are also suggesting that we ought to do other things. This Senator has been here a while. First, this is the proper way to do it. Second, if anybody has another proposal for a million barrels a day. We are also suggesting that we ought to do other things. This Senator has been here a while. First, this is the proper way to do it. Second, if anybody has another proposal for a million barrels a day, let’s have them take a turn, because we had a few more. If anybody knows how to conserve and pass through Congress a measure that would cause us to conserve 2 million or 3 million or 4 million barrels a day, put it on the table. It is not that if we did that we do not need this. We need them both.

Mr. BINGAMAN. Mr. President, I wish to add my voice today in support of the amendment offered by Senator CANTWELL. This amendment would strike the instruction to the Energy and Natural Resources Committee contained in the budget resolution promised on opening the Arctic National Wildlife Refuge to oil and gas development and enacting the Pick-Sloan Missouri Basin Program cost recovery proposal set forth in the President’s Budget for fiscal year 2006. I would like to address both of these issues.

First, I have concerns regarding the Pick-Sloan proposal. Although I have not had an opportunity to thoroughly review the proposal, I am advised that it could result in significant rate increases for power users in rural areas of the Upper Midwest and the Great Plains. The instruction assumes that the provision would increase revenues by $33 million in fiscal year 2006 and $157 million over the next 5 years. If the committee should choose not to enact the Pick-Sloan cost recovery proposal, we would be obligated to find these revenues elsewhere. Given the jurisdiction of the Energy Committee, our options are few. We have only limited mandatory spending within our jurisdiction. We have jurisdiction over imposition of fees for the use of public lands. We have jurisdiction over leasing on the Outer Continental Shelf and the revenues raised from opening areas currently covered by moratoria is within the jurisdiction of the Energy Committee. Similarly, we have jurisdiction over a proposal to divert revenues from southern Nevada land sales, which falls within our committee’s jurisdiction. All of these are likely to be controversial. The best way to ensure that the Pick-Sloan proposal is not enacted as part of budget reconciliation legislation and the only way to avoid finding an offset is to support the Cantwell amendment to strike the instruction, and I think that is clearly the preferred course of action at this juncture.

Turning now to the Arctic Refuge, there are many reasons—related to both energy security and environmental concerns—that lead me to conclude that I cannot support oil and gas leasing and development in the Arctic Refuge.

The most compelling reason for not opening the Arctic Refuge is that it will do very little, if anything, to further our national energy security. If opened, not one drop of oil will come from the Arctic Refuge for 7 to 12 years. The most recent Energy Information Administration, EIA, study, “Analysis of Oil and Gas Production in the Arctic Refuge,” released in March 2004, assumes that production will not occur for 10 years. According to EIA, peak production will not occur for another 10 to 11 years after initial production. Thus, we will have to wait for 20 years before having the benefit of maximum production from the Arctic Refuge. Drilling in the Arctic Refuge does nothing to address near-term shortages or issues of energy security.

More importantly, drilling in the Arctic Refuge does not address our reliance on imported oil. The United States relies on imports for 58 percent of its current oil supplies. The Energy Information Administration in March 2004 has estimated that production from the Arctic Refuge would, at its peak, reduce our reliance on imports by only 4 percent by the year 2025, based on the mean estimate of technically recoverable resources.

In addition, opening the Arctic Refuge diverts attention from the real opportunities to enhance domestic energy production. Last Congress, we enacted energy tax legislation that I believe is a good start in addressing our Nation’s energy future. Unlike opening the Arctic Refuge, this legislation is intended to provide a near-term increase in domestic energy production. Not only does the legislation include tax provisions that would promote highly efficient hybrid vehicles and alternative transportation such as ethanol, make renewable energy more competitive, and enhance energy efficiency, it would also provide specific incentives to increase oil and gas production at home. In particular, I am pleased that we were able to pass the marginal well production tax credit. It is my hope that this year we will be able to expand upon the energy tax package that was enacted last Congress and do even more to provide for our Nation’s energy security.

Environmentally sound development of the National Petroleum Reserve—Alaska provides another opportunity to enhance our domestic energy security. This is 23.5 million acres of Federal land set aside by President Harding to secure the Nation’s petroleum reserves for the national security. The area is highly prospective for oil and gas. BLM conducted lease sales in 1999, 2002, and 2004 that had an extremely high level of industry interest. Several wells have been drilled that have encountered oil and gas. The NPRA is estimated to hold a mean value of 3.1 billion barrels of economically recoverable oil at $24 per barrel and a mean estimate of 9.3 billion barrels of technically recoverable oil. While I believe that BLM should take all measures to conduct leasing in an environmentally sensitive way, and also am of the view that there are areas of NPRA that should not be developed, the vast majority of this resource should be tapped to enhance our energy security.

Renewables, energy efficiency and R&D must play an increased role in meeting our Nation’s energy needs. Clean energy from renewable sources such as the sun, the wind, the ocean, geothermal heat and biomass helps to diversify our energy portfolio and enhance our energy security with minimal environmental impact. In addition, a rational energy strategy should focus on cost-effective ways to reduce energy demand, not solely on increasing supply. Energy efficiency
provides an array of benefits—economical growth, national security, reliability and environmental protection. Our growth in demand, each year, for automotive fuels far exceeds any potential new domestic oil production. That includes any production from the Arctic National Wildlife Refuge, even if we were to open it and even if the Arctic Refuge has more oil than anyone thinks is likely. Because of that reality, Congress needs to take a serious approach to increasing the fuel efficiency of our new cars, trucks, and SUVs. We cannot talk seriously about loosening our dependence on foreign oil without advancing meaningful improvements in automotive fuel efficiency.

In conclusion, Mr. President, there are many reasons why the coastal plain of the Arctic National Wildlife Refuge need not and should not be drilled for oil and gas. The environmental sensitivity of this area is well-known. Opening the Arctic Refuge is not good environmental policy, but equally important to our Nation, it is far from necessary to our energy policy.

I urge my colleagues to join me in opposition to oil and gas leasing and development in the Arctic National Wildlife Refuge. I urge my colleagues to support the amendment.

Our dependency on foreign oil is now over 11 million barrels a day—it is rapidly moving towards 20 million barrels a day. That is important. Let's assume our dependency will be 19 or 20 million barrels a day by 2025. The oil produced at ANWR would represent about 5 percent of what we need to import from foreign sources. That is a lot.

I close by saying 1 million barrels of oil a day equals $18.4 billion a year in balance of trade dollars. We talked about the merchandise trade balance. Currently, 25.5 percent of this country's merchandise trade deficit is from net imports of crude oil and petroleum products. Everybody is worried about it.

The Acting President pro tempore. The time of the Senator has expired.

Mr. DOMENICI. I ask for an additional 30 seconds, Mr. President.

The Acting President pro tempore. Without objection, it is so ordered.

Mr. DOMENICI. We worry about China bringing in all this oil, but that 26 percent of the balance of trade is pure oil. We can stop the imbalance with China and continue to buy oil, and we will have a trade imbalance that is still going up, and we will be wondering whether we need a million barrels of oil a day from somewhere in the Arctic, that is supposed to be explored that some do not even want to allow us to look at. I believe the time has come. I hope it is tomorrow.

I yield the floor.

The Acting President pro tempore. All time has expired.

There will now be 1 hour of debate evenly divided in the usual form on an amendment relating to veterans, to be offered by the minority. Who seeks recognition?

Mr. AKAKA. Mr. President, I ask the pending amendment be laid aside.

The Acting President pro tempore. Without objection, it is so ordered.

Amendment No. 149

Mr. AKAKA. Mr. President, I call up amendment No. 149, which is at the desk, and ask for its immediate consideration.

The Acting President pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. Akaka], for himself, Mrs. Murray, Mr. Obama, Mr. Jeffords, Ms. Stabenow, Mr. Cornyn, Mr. Sarbanes, Ms. Landrieu, Mr. Salazar, Mr. Rockefeller, Mr. Dorgan, Mr. Levin, Mr. Schumer, Mr. Kerry, Mr. Fringold, and Mr. Johnson, proposes an amendment numbered 149.

Mr. AKAKA. I ask unanimous consent the reading of the amendment be dispensed with.

The Acting President pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase veterans medical care by $2.8 billion in 2006 and to provide for deficit reduction by closing corporate tax loopholes)

On page 3, line 10, increase the amount by $5,112,000,000.

On page 3, line 11, increase the amount by $1,377,000,000.

On page 3, line 12, increase the amount by $109,000,000.

On page 3, line 13, increase the amount by $10,000,000.

On page 3, line 19, increase the amount by $5,112,000,000.

On page 3, line 20, increase the amount by $1,377,000,000.

On page 3, line 21, increase the amount by $109,000,000.

On page 4, line 1, increase the amount by $10,000,000.

On page 4, line 7, increase the amount by $2,840,000,000.

On page 4, line 16, increase the amount by $2,556,000,000.

On page 4, line 17, increase the amount by $899,000,000.

On page 4, line 18, increase the amount by $55,000,000.

On page 4, line 19, increase the amount by $5,000,000.

On page 4, line 24, increase the amount by $2,556,000,000.

On page 4, line 25, increase the amount by $686,000,000.

On page 5, line 1, increase the amount by $54,000,000.

On page 5, line 2, increase the amount by $5,000,000.

On page 5, line 7, decrease the amount by $2,556,000,000.

On page 5, line 8, decrease the amount by $3,244,000,000.

On page 5, line 9, decrease the amount by $3,288,000,000.

On page 5, line 10, decrease the amount by $3,303,000,000.

On page 5, line 11, decrease the amount by $3,303,000,000.

On page 5, line 15, decrease the amount by $2,556,000,000.

On page 5, line 16, decrease the amount by $3,244,000,000.

On page 5, line 17, decrease the amount by $3,288,000,000.

On page 5, line 18, decrease the amount by $3,303,000,000.

On page 5, line 19, decrease the amount by $3,303,000,000.

On page 22, line 16, increase the amount by $2,840,000,000.

On page 22, line 17, increase the amount by $2,556,000,000.

On page 22, line 21, increase the amount by $689,000,000.

On page 22, line 25, increase the amount by $55,000,000.

On page 23, line 4, increase the amount by $5,000,000.

On page 30, line 16, decrease the amount by $5,000,000.

On page 30, line 17, decrease the amount by $6,608,000,000.

On page 48, line 6, increase the amount by $2,840,000,000.

On page 48, line 7, increase the amount by $2,556,000,000.

Mr. AKAKA. Mr. President, the budget resolution fails veterans. It is just that simple. I am pleased to stand with my colleagues who joined me in offering this veterans’ health care amendment, which adds $2.85 billion for VA health care.

While I largely agree with the President on the overall amount needed for VA health care, I take issue with how he chooses to fund the system. The administration’s approach is to ask veterans to pay more for their care via increased copayments for medications and a new user fee for middle-income veterans. Our approach, instead, asks for appropriated dollars. Real money for real veterans’ health care needs.

I remain unclear about whether sufficient funding was included to compensate for these proposals.

Our amendment would add $2.85 billion to the resolution. How was this amount derived? I stress that nearly all of these amounts come directly from the President’s own budget. According to the administration’s own numbers, VA needs $1.4 billion just to cover medical care inflation and automatic salary adjustments for health care workers. The level in the budget resolution before us does not even come close to covering that amount.

Additionally, VA requires funding to absorb new patient workload, from new veterans returning home from both Operations Iraqi and Enduring Freedom and from older veterans who are just now turning to VA.

The amendment also provides funds to allow for modest increases in mental health and prosthetics. Again, these numbers follow those sent forward by the President. While it is broadly acknowledged that VA could do much more in these areas and others, we recognize that the budget climate is tight. Mental health and prosthetics must receive at least modest increases if we are to truly fulfill the promises we made to these men and women when they were sent to war.

The only new cost that was not included in the President’s budget—and therefore the budget resolution—is funding to allow middle-income veterans to enroll with VA for care. In January of 2003, the President cut-off
enrollment to middle-income veterans. To date, 200,000 veterans have been turned away. This amendment provides the money to make the system accessible to all who have served. It is simply wrong to exclude any men and women who have served our country from VA services, especially at a time of war.

While some of my colleagues will argue that the President’s budget is a good one for VA, I would like to share some of the comments of the veterans served by the Democrats. The Veterans of Foreign Wars, with its 2.4 million members, say that:

it is clear that the proper funding of veterans health care is not an Administration priority.

The Disabled American Veterans has characterized this budget—and therefore the budget resolution—as:

one of the most tight-fisted, miserly budgets for veterans programs in recent memory.

Similarly, my colleagues will argue that the President has done more for VA than any President in recent memory. I would clarify, however, that Congress, through this amendment process, which has increased veterans health care spending year after year.

Mr. President, I implore you and my colleagues on both sides of the aisle to recognize the great need that exists for veterans’ health care.

I will take time later to discuss more of this.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

MRS. MURRAY. Mr. President, how much time is left on our side?

The ACTING PRESIDENT pro tempore. There is 23 and a half minutes.

MRS. MURRAY. Mr. President, at this very hour, veterans in my home State of Washington and throughout the country are waiting for the health care they were promised. They are facing understaffed and overcrowded VA hospitals and clinics. They are dealing with paperwork. They are dealing with red tape. They are not getting the service they were promised.

At this hour, veterans from World War II, Korea, Vietnam, and other conflicts are waiting for appointments to see a doctor, waiting for prescription drugs, and waiting for help with post-traumatic stress disorder. While they are waiting, new veterans are coming home from Iraq, from Afghanistan, and they, too.

Every day the system is getting more and more crowded. The waiting lists are growing longer. We have to do something about it. These brave men and women were there for us. We have now got to be there for them. They answered our country’s call, and now we have to do our part. That is why I am on the floor tonight with Senator Akaka, offering an amendment to increase funding for veterans health care by $2 billion.

I am here today with a simple message, which is displayed right here on this chart: Congress needs to keep its promise to America’s veterans. We need to honor their service and their sacrifice, and we need to fund health care now. I received many letters from veterans throughout my State with this simple plea: Keep our promise to America’s veterans. Fund health care now.

Let me say, we have a lot of work to do. If we follow the budget President Bush proposed last month, we will force veterans out of the VA system, we will force veterans out of nursing homes, we will force veterans to pay more in fees and copayments, and we will force veterans to wait even longer for the care they have earned.

As the daughter of a disabled World War II veteran, as the first woman in history to serve on the Senate Veterans Affairs Committee, and as the voice of more than 700,000 brave veterans in the State of Washington, I cannot let that happen.

I have been fighting for veterans for many years. Last week in the Budget Committee I offered an amendment to boost funding for VA health care. Do you know what some Senators told me? They said: We have already increased funding for veterans plenty, so we don’t need another dime for veterans health care.

They are wrong. That is not what the veterans in my home State are telling me.

I want every Senator to know that how you vote on this amendment is a test of how committed you are to helping America’s veterans. With this vote, we are going to find out who is serious about helping our veterans and who is just talking.

With this vote, every Senator will have to announce publicly whether they are making life better for our veterans or whether they are making excuses. I am here to say let’s do the right thing. Let us support this amendment and keep the promise to those who have served.

For those veterans who are following this debate tonight, let me recap where it stands.

This month, Congress is deciding how much money to spend on priorities such as veterans health care. So far, we have only had two choices, and one is to follow President Bush’s approach. He offered a budget that will impose higher fees and copayments on many veterans, handful the doors of VA to thousands of veterans. It is no wonder that veterans organizations from coast to coast have denounced that budget proposal.

Last week, the Senate Budget Committee organized its own budget proposal. I serve on that committee. I was part of that debate.

The Republican proposal got rid of some of the onerous fees in President Bush’s budget, but they refused to increase funding for veterans to meet their needs.

I tried to improve that bill in committee with the Murray veterans health care amendment, but the Republicans blocked my funding and passed an inaccurate budget on a party-line vote. Now that flawed budget is here on the Senate floor, and we have one more chance to make it right.

That is why I am here tonight offering this amendment with Senator Murray to let’s fund veterans health care based on real needs.

We know what the needs are because over the past few weeks, the Nation’s largest veterans service organizations — before the Senate Veterans Affairs Committee, the committee on which I serve, Leaders from AMVETS, the Disabled Veterans of America, the Paralyzed Veterans of America, and Veterans of Foreign Wars, all told us what they need. They are not asking for special treatment—just what they were promised in exchange for serving our country. They told us that veterans are not getting the help they need. They told us what would happen if we adopted the President’s budget.

For me, veterans health care is a very personal issue. My father served in World War II, and he returned as a disabled veteran. During the Vietnam war, I interned in the Seattle VA hospital. I know firsthand the scars and the wounds that burden our veterans when they come home.

During the gulf war, when our soldiers were coming home with gulf war syndrome, I brought the VA Secretary out to Washington State so he could hear from veterans what I was hearing.

Over the past 2 years when President Bush tried to close the doors at three VA hospitals in Washington State, I worked with veterans and community leaders from across our State to keep those facilities open. I continue to press the VA to open new community clinics in north-central Washington and in Whatcom County to help our veterans who today have little access to VA services.

When it comes to VA’s health care budget, it has been a battle every year to get the funding we need. Every year, the President has proposed a small number for veterans health care, and every year we in Congress have stepped in to protect our veterans.

I have been convinced for a long time that we need to move VA health care out of the annual budget process. That is why I have sponsored legislation to make VA health care funding mandatory. It is always there no matter what type of budget games are going on.

Unfortunately, the Republican majority has blocked that commonsense proposal every year.

So the fight goes on. That is why we are here tonight. This year’s debate started on February 2 when the President unveiled his budget proposal.

Veterans of Foreign Wars looked at his proposal, and they said:

If the President’s budget were approved, waiting times for basic health care appointments would again skyrocket, returning us to the era of the six-month waiting period.
That is what the commander in chief of the Veterans of Foreign Wars said about the President’s budget.

The President’s budget would force more than 2 million veterans to pay a $250 annual fee just to get VA health care. If you are a veteran of your country, if you have already paid your dues, it is insulting to nickel and dime America’s veterans.

The President’s plan would also double the copayment for prescription drugs for thousands of our veterans. It would slash prosthetics research by $9 million.

The President’s budget would eliminate thousands of State-run nursing home beds. In my home State alone, 300 veterans who honorably served this country would lose their place in a State nursing home. That is 300 Washington State families being asked to shoulder a new burden, and that is just wrong.

The President’s budget would cut the VA workforce by more than 3,000 people while there is a backlog of more than 700,000 claims. That just does not make any sense.

We have a huge backlog of claims with new claims coming in every day, and now there will be fewer staff to process. That is wrong.

The President’s budget would also continue to ban some veterans from coming to the VA for care. So far, under this flawed policy, nearly 200,000 veterans have been turned away, including more than 3,100 veterans in Washington State.

That is what the President proposed. I have been working with others to fix that.

I have to tell you that it has been very frustrating. No one in this administration is willing to say how we are going to take care of our newest veterans, when they have waiting lists for existing veterans.

I asked the President’s budget director on February 9: Where is the money for veterans medical care? Where is the money for veterans nursing care? Where is the money for veterans mental health? Where is the money for veterans housing?

So tonight I am here on the Senate floor with Senator AKAKA with a similar amendment. And now every Senator is going to have to go on the record either for or against our veterans.

During this debate, you are going to hear Senators say that we have raised funding for veterans plenty. Other Senators are going to suggest that we are meeting the needs today. I am going to refute those claims line by line. But let me say this first: When veterans tell me they are being left behind and politicians tell me everything is fine, I will believe the veterans every time.

With that said, I want to look at some of the claims the other side will make.

One of the arguments you are going to hear from the opponents is that appropriations for veterans medical care increased from fiscal year 1995 to fiscal year 2004. That claim is inaccurate because it leaves out three critical facts.

First of all, the number of veterans who have served has gone up dramatically over that same period of time, as this chart shows. During the same year, the number of unique veterans getting care from the VA has increased by 88 percent.

It is nice that the funding has gone up, but it is nowhere close to meeting the number of veterans who are getting care at the VA.

Second, the Republican claim is inaccurate because it ignores the impact of medical inflation.

As this chart shows, over the same timeframe they are talking, medical inflation has shot up 92 percent, so the increases we have had so far have not even kept up with medical inflation. It is great that veterans funding has increased over the years, but it has not even kept up with inflation.

There is another problem with this excuse for the President’s amendment, because every day, as each of us knows, new veterans are coming back home and seeking care at the VA. If the number of veterans was going to be stable in the coming years, it would be one thing. But we all know the number of veterans will keep growing as soldiers come home from Operation Iraqi Freedom and Operation Enduring Freedom.

Washington State alone has sent thousands of brave men and women to Iraq and Afghanistan over the past several years. Now a large group is returning home, including 4,000 members of the National Guard. This is the next generation of veterans.

Congress needs to provide more funding if we are going to keep up with the growing needs. So we are going to hear some of the opponents claim that veterans funding has gone up 63 percent so veterans do not need any more. But when we hear that claim, we need to remember the number of veterans in the VA system has gone up 88 percent. Medical inflation has gone up 92 percent. And we are creating new veterans every single day who need a strong, stable VA to take care of them.

Here is another excuse we will hear from the opponents. They say the VA is sitting on nearly $500 million. VA officials in Washington, DC, may well be holding back money to see what next year may bring, but that does not mean the funds are not needed at VA hospitals and clinics. Veterans health networks are already experiencing shortfalls. As a result, the committee has heard that outpatient clinics have stopped seeing even the poorest of patients, sending them hundreds of miles away to other facilities.

I am hearing from veteran leaders in my region that the VA is not moving forward with new clinics in Whatcom County and north central Washington because all those dollars are needed for medical care for existing veterans.

If the VA is sitting on funds we have appropriated, I want those dollars moved out to help veterans as we intended. It is not an excuse to block this amendment.

We may also hear opponents claim this budget increases veterans funding by about $900 million. But when you look at the numbers, the increase in medical care is less than $80 million.

I have a chart that was produced not by us but by majority staff on the Committee on Veterans Affairs. I ask unanimous consent we have it printed in the RECORD after my remarks.

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

Mrs. MURRAY. Mr. President, we have heard some opponents say we should not provide another dime in the budget for veterans health care because we do not know how the Appropriations Committee will spend that money. I serve on the Committee on Veterans’ Affairs and I serve on the Veterans Appropriations Subcommittee. If the Senate passes our amendment, then the Appropriations subcommittee will have explicit instructions that this money is to be spent on veterans health care. Because I serve on all the committees involved—Appropriations, Veterans Affairs—I will be there at every turn to remind my colleagues of the promise we made.

This amendment is also about making sure our military is strong today. How we treat our veterans affects our ability to recruit the men and women needed to serve in our Armed Forces. That is nothing new. It has actually been true since the founding of our country. On the chart behind me I have a quote from George Washington in 1789. Washington said:

The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the veterans of earlier wars were treated and appreciated by their country.

That was President George Washington in 1789.

We have an opportunity tonight with this amendment to do right by our veterans and to keep our country strong. This amendment will help meet the growing needs and will ensure that we keep the promise to those who have answered this country’s call. They were there for us when we needed them, and we need to be there for them.

With this amendment offered by Senator AKAKA and myself and many others, every Senator will have to decide if they are voting for veterans or against them. I urge every Senator to do the right thing and vote for our amendment.
Mr. AKAKA. How much time do I have?

The ACTING PRESIDENT pro tempore, The Senator from Hawaii.

Mr. AKAKA. Mr. President, we have heard a lot about the fact that VA has so much money that they expect to carry-over nearly $500 million to next year, as Senator MURRAY said.

I urge all my colleagues to touch base with the veterans at home and find out if the VA is really swimming in money.

VA’s health networks are already experiencing shortfalls. Let me share some more specifics.

The Boise facility is facing a $1.8 million deficit. The facility, like so many others, has a hiring freeze. The facility has seen a workload increase over 7% for FY 05, but there will be staff reductions. And at present there is no money for staff education.

Veterans in need of treatment for PTSD or addiction treatment will have one less place to go due to the VA budget. The Psychiatric Rehabilitation Program at the Chillicothe VA hospital is being shut down.

Thirty nursing home beds at the VA hospital in Manchester, NH, will not be opening. VA officials expect to save $1.3 million by not opening these beds.

As my good friend, Senator COLLINS, has pointed out, the hospital in Togus has a projected $14 million deficit. This Maine facility has a hiring freeze and cannot replace equipment.

At the Louisville, KY, hospital veterans undergoing a cystoscopy must lie on a broken table during the procedure. It’s been almost a year that this medical table has been broken—but the VA can’t replace it because they have no money. The facility’s only endoscope is broken, and the facility cannot afford a backup.

Also at the Louisville, VA, elective surgeries have been cancelled because of lack of staff due to funding.

So, again, the administration—the same administration putting forward the budget—is holding back $450 million.

Perhaps they are holding onto this money because they know that the coming year may be horribly tight if the President’s budget is made a reality.

But the VA facilities which are serving veterans need more funding.

During the Clinton years, the Clinton administration, a Democratic administration, proposed actual cuts in a veterans budget. In 1998 and 1999, they proposed those cuts. What did Congress do? Did it accept the budget? Of course it did not. It said: No, Mr. President, you may propose, but we will dispose. And we did. And we plussed up those budgets dramatically.

Not once in the past 4 years has the Bush administration proposed cuts in veterans budgets. They proposed substantial increases. Once again, Congress came along and said: Mr. President, we don’t think those are quite adequate. And we plussed them up.

In the course of the last 4 years, we have seen relatively dramatic increases in veterans budgets. Are they necessary? You bet they are necessary.

Here is a perfect example of the medical care budget. From 2001 to 2005, we went from $21 billion to nearly $30 billion. What did we get in return? More veterans being served. And we now have what is being called the finest health care delivery system in the United States.

This Congress ought to be darn proud of it. And we are. That is what we are going to sustain in the budget this Congress will adopt this week.

What did we do in other benefit areas? We did in the general mandatory areas exactly the same kind of thing. We looked at the budget for 2001. It was $25.7 billion. By 2005, it was $37.1 billion. Necessary? You bet it was necessary. As a result of that, we were able to expand the capacity of the Veterans’ Administration to serve veterans. And that is what we are about.

So that has resulted in the greatest increase in veterans spending in the history of this country, to serve a truly deserving class of veterans. And they, too, have to be served. They are injured and impaired in unique ways, and they will have to have health care and service, in
some instances, for the rest of their lives from this Government and this country which recognizes the kind of services they did and have continued to perform.

So not only no copays for prescription drugs, but also the VA should have done something else. There is another layer of service out there to veteransthat oftentimes we do not talk about. It is because it is not as visible. But home in our States it is visible; that is, the State veterans homes where the State government and the Federal Government share. This year it was proposed that we reduce the per diem payment at the Federal level. In my State of Idaho and across the Nation we would have found truly needy veterans without the kind of care that we think is necessary, and we said: No. Mr. President, we don’t think at this time we ought to be doing that. Yes, budgets are tight. Yes, you proposed reasonable increases in a variety of areas. But what is most important is that we serve the veterans we are serving today, we add to the enrollment when we can, and we make darn sure we are doing the right things for those veterans coming home.

Our State veterans homes across the Nation provide over 20,000 beds. In my State it is 266. It is important in my State and across the Nation that we plus those up where we can and recognize the true need.

There are a good many other areas I could cover that are included in the President’s budget. The President recognized the unique need for prosthetic care and as a result added $100 million to it, focusing on the truly injured veterans coming out of Iraq and Afghanistan. We recognize that and recognize that portion of the budget and add to it to strengthen it.

So a lot of work has been done. My colleagues on the other side, I am sad to say, would suggest there is never enough. This is a tight budget year. We all recognize that, but we ought not try to cut the budget on the backs of the veterans. And we are not doing that. A plus-up of $1.2 billion without reconciliation orders in this budget is a significant increase, one we can all be proud of, one that services our veterans, as it should, and services those who are in true need today.

Mr. President, can I ask how much time I have?

The ACTING PRESIDENT pro tempore. The Senator has 21 minutes 50 seconds left.

Mr. CRAIG. Mr. President, let me stop at this point and yield to my colleague from Nevada for the purpose of the offering of an amendment, further discussion on this important issue of veterans funding, and then I believe we will be joined by my colleague from Texas, Senator Hutchison, to further discuss this. I propose I close out for the evening. Mr. President, I believe we can return to the Senate tomorrow and ask them to vote on a very responsible veterans budget as proposed by the Senate.

With that, I yield to Senator Ensign. The ACTING PRESIDENT pro tempore. The Senator from Nevada.

AMENDMENT NO. 171

Mr. ENSIGN. Mr. President, I send an amendment to the desk on behalf of myself, Senator Craig, Senator Vitter, and Senator Hutchison. The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. Ensign], for himself, Mr. Craig, Mr. Vitter, and Mrs. Hutchison, proposes an amendment numbered 171.

Mr. ENSIGN. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose to increase Veterans medical care by $410,000,000 in fiscal year 2006.)

On page 22, line 16, increase the amount by $410,000,000.

On page 22, line 17, increase the amount by $369,000,000.

On page 22, line 21, increase the amount by $37,000,000.

On page 22, line 23, increase the amount by $2,000,000.

On page 9, line 15, decrease the amount by $140,000,000.

On page 9, line 16, decrease the amount by $369,000,000.

On page 9, line 20, decrease the amount by $37,000,000.

On page 9, line 24, decrease the amount by $2,000,000.

Mr. ENSIGN. Mr. President, we are proposing an amendment today that will increase the spending on our veterans in this budget by $110 million this year. Some may ask: Why not the amount that the Democrats have proposed? Well, first, we are in tight budget times. And we are considering this amendment without raising taxes. We are taking the money out of the State Department and foreign aid budgets instead of taking the money out of the pockets of hard working Americans who are trying to make a living, trying to provide for their families.

We can never spend as much money as the Democrats. There is no question about that. Every single time we offer an increase in this budget, the Democrats will try to outbid us. We understand that. We accept that. We are trying to be fiscally responsible, at the same time taking care of our veterans and not increasing taxes on working Americans.

In the Democratic amendment, there is a $5.6 billion tax increase over the next 3 years—$16.6 billion in new taxes. That is one of the many amendments they are going to offer on this budget that will increase taxes. Of that, $2.8 billion goes for veterans care next year. But $5.6 billion in new taxes.

Senator Ensign and I, for the State of Washington talked about some of her veterans and the problems with some of her veterans. Nevada has experienced some of the same problems. Nevada is the fastest growing State in the country.

The problem, Mr. President, is not the amount of money we are spending, but rather the manner in which we are spending it. By the way, veterans are moving away from the Rustbelt to faster growing States like Nevada. A large number are moving to the west coast. A lot to the Sunbelt States. They have chosen to move, but a lot of the VA facilities are still located in the Rustbelt.

Because of the way Congress works, Senators and Representatives work hard to keep a lot of money in their States, even though the veterans have moved away. So while States such as Washington and Nevada may have VA facilities that are packed to the gills, there are some VA facilities that have 20 to 30 percent occupancy in their beds. And, obviously, some should be closed. This President has, with the CARES Commission, proposed reallocating some of the funds so that the veterans with the greatest needs will get the care they deserve. Our amendment recognizes that we can’t do this overnight. So we recognize we have to increase spending on veterans care. We have to keep our promise—the promise we made to the men and women who don the uniform of the U.S. military. And I say: I will try to spend the dollars so that veterans will get the quality care they need. As a result of veterans coming home from the war, we are going to have to examine their needs. As we determine those needs, we may have to spend more. If we have to spend more, I know this body will step up to the plate and do what is necessary to take care of those heroes who fought for our freedom.

The $110 million in our amendment will restore funding for the prescription copays at $7 for veterans. It also restores funding required to prevent the imposition of a $250 enrollment fee on veterans. This amendment restores funding required to stop the VA from cashing out the per diem payments made by the VA.

It adopts the President’s request to spend an additional $100 million for mental health services.

Many of our homeless veterans are homeless because of mental health issues. The President has proposed another $100 million, and this budget will
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now meet that. We also adopt the President's request to spend an additional $100 million for prosthetics. With all the veterans who have been wounded in the war, we are going to need at least that much. Next year, we may have to spend even more than that.

We also adopt the President's request for other nonmedical discretionary accounts, allowing for a $116 million increase in funding for construction, an increase in disability claims, case workers, and the continued expansion of the National Cemetery System, the largest such expansion since the Civil War.

Mr. President, I believe strongly that we must keep our word to our veterans, and we must take care of those men and women who have sacrificed so much while wearing the uniform of the U.S. military. This amendment helps keep the promise we have made to our veterans.

I yield the floor.

Mr. CRAIG. Mr. President, I thank my colleague from Nevada for his amendment. I believe it is responsible and appropriate, as we plus up this budget, to assure that the veterans are adequately served and that we adjust appropriately for the new veterans coming in from Iraq and Afghanistan.

Now I yield to the Senator from Texas, Senator HUTCHISON.

Mrs. HUTCHISON. Mr. President, I would like to be notified at 7 minutes. I can yield back the remainder of the time to Senator Craig.

The ACTING PRESIDENT pro tempore. The Senator from Texas is notified that there is a little over 6 minutes left.

Mrs. HUTCHISON. Mr. President, please notify me when I have used 4 minutes. I thank Senator CRAIG, the chairman of the Veterans Affairs Committee, and Senator ENSIGN, a member of the committee. I chair the Veterans' Affairs Appropriations Subcommittee. It happens that today we had our hearing on the Veterans Affairs Department, and Secretary Nicholson came before our committee and talked about what is in the budget. He said, of course, we have full coverage for the priority 1 through 6 veterans. We have full coverage in the budget for the injured coming home from Iraq and Afghanistan. And we all know that the growth in the veterans medical care area has been in the other priority veterans, Nos. 7 and 8. These are people who do not have combat-related injuries and people who are in upper incomes. When they became covered a few years ago, really, it was thought by Congress that there would not be a big surge to get the Veterans Affairs coverage because they, we thought, had private insurance. But, in fact, that has been the big surge in medical care coverage for veterans, in those 2 categories, and 15 percent of those do not have private coverage.

So what we are doing with this amendment is we are saying we are not going to change anything right now. We are not going to have copays, and we are not going to have enrollment fees. But I did talk to the Secretary about making sure that if there is private insurance, that that insurance would be adequate for the veterans' health care need; that the private insurance payer would pay first, and Veterans Affairs would come second so that we could recoup some of the money that could be going into serving those veterans and try to also keep a balance in the budget. That is what we are trying to do. We are trying to increase what is in the budget, and we will do that in this amendment.

We are, most certainly, going to try to do it in a way that will not harm any veteran at all. We are not going to have copay increases. We are not going to have enrollment fees, and we are not going to have a reduction in the per diem payments for nonservice-connected veterans in State veterans homes. So we are trying to do the right thing, while also whittling down the deficits we are facing in our country.

I think Senators CRAIG and ENSIGN have a very responsible amendment. We are going to do the right thing for veterans always. We will be able to assure coverage this year with this added $400 million, and we will be able to come back in next year, if we need more.

Mr. President, I would like to mention one other area before I turn the podium back over to Senator CRAIG. It is something we will more fully discuss tomorrow. I wanted to lay down the marker that we will have an amendment to increase the number of border patrol in this budget. I am very concerned about the reports from our FBI Director Mueller, who told Congress that people from countries with ties to Al-Qaeda are crossing into the United States through our Mexican border.

Deputy Secretary of Homeland Security James Loy, recently said that intelligence reports say that Al-Qaeda is looking at the Mexican border as a way to put United States for the purpose of terrorist attacks. So I think we must increase the budget coverage above the 210 border patrol agents who have been added in the budget before us. We need to increase that to at least 1,000. Our intelligence reform bill said that we would have the capability to increase border patrol by 2,000 per year for the next 5 years. I am going to try, through an amendment, to increase that to at least 1,000, and I want to do it without busting the top line of the budget.

We think it is very important that we stop people from coming over our borders illegally. We know we are vulnerable right now. We know we need more places for detention, more Border Patrol agents, and better technology to secure our borders to the south and the north. These Border Patrol agents will go throughout the United States to the Border Patrol centers.

My amendment will be sponsored by Senator CORNYN, Senator BINGAMAN, Senator MCCAIN, and Senator FEINSTEIN. These are Senators from border States who know the problems of illegal immigration firsthand.

It is a very important amendment that we will discuss more fully tomorrow. But I hope our amendment will start thinking of ways that we can assess the priorities and determine that we need at least a thousand Border Patrol agents in this year's budget and another thousand next year. But we will do 1,000 at a time, I hope, because that is the number that can be trained in any 1 year.

I hope we will address the Border Patrol issue tomorrow, and I certainly hope that when we have the competing veterans amendments that we will take the Craig-Ensign-Vitter-Hutchison amendment that does keep in mind the priorities of our budget, but also increases the amount that will be for medical care for our veterans and will provide any higher copays or registration fees for any of our veterans at this time.

I yield back my time to Senator CRAIG.

Mr. CRAIG. Mr. President, what is the time remaining on our side?

The ACTING PRESIDENT pro tempore. The Senator from Idaho is notified that the Parliamentarian informed the Senator of the wrong time. The Senator now has 7½ minutes. Mr. CRAIG, your time is up. I will close. I think the Senator from Washington has time left that she would like to use.

I think every Senator who comes to the floor of the Senate to speak about our veterans is committed without question to assuring to the veterans community of this country that we will honor their needs. It is our responsibility.

I happen to disagree with the Senator from Washington. I do not think we need to raise taxes to meet the necessary needs at this time. Veterans are hard working, too, and they pay taxes. But there are additional moneys necessary from what were moneys proposed by the President, and that is exactly what this amendment does, along with the additional plus up that the committee itself has accomplished.

When the Ensign-Craig-Vitter-Hutchison amendment is adopted, the increase will be $100 million for the Veterans Administration to spend. What do we do with that money? I mentioned we add $100 million for VA prosthetic care. We look seriously at those who are tremendously injured in body, but we also recognize that there may be veterans injured not of body but of mind, and mental health programs are increased.

The Ensign-Craig amendment to the budget resolution will mean an additional $100 million can be devoted this year to expanding treatment and services in mental illness for America's veterans who suffer PTSD as a result of their service in Iraq and Afghanistan.
Also, the budget proposes $43 million to ensure that veterans who seek emergency care in non-VA facilities are treated exactly the same as if they had sought care at a VA facility. Clearly, across my large expansive State of Idaho it is true that the State of Washington—indeed, in every other State—confronts the same problem. VA hospitals or veteran treatment centers in every community, and yet veterans live there and emergency care is sometimes necessary. We assure that they can enter that emergency room door and be treated with the same concerns moving on to a veteran care facility.

Finally, this budget with the $410 million added by the Ensign-Craig-Vitter-Hutchison amendment will provide $19 million for the treatment of homeless veterans. That may sound like a small amount of money, but it will bring this program up to the $100 million level and help us build on gains we have already made in reaching out to this incredibly vulnerable population of veterans.

I can stand on the floor of the Senate tonight with the offering of this amendment, as chairman of the Veterans’ Affairs’ Committee in the Senate, working with all of my colleagues and assure them that all of those gains we talked about earlier that we all share, we recognize, and we are proud of, whether it be in mandatory spending or whether it be in health care, are gains that will be sustained by this budget in 2006, that we can build on the strength of those gains and assure that veterans who are in the categories of 1 through 6 will be truly served.

Those who have service-connected disabilities or problems in other areas will be served. We recognize that the 20,000 veterans’ homes beds across the States will remain open and available to veterans, by not bringing down the per diem. This is a sincerely responsible budget to deal with America’s veterans’ needs as we have always done as a Congress and as we will continue to do in the 2006 budget and into the future.

A tight budget year? You bet it is. Need we be fiscally responsible? You bet we should be. Should we raise taxes on the working men and women of America to accomplish that? No, we should not. What we should do is exactly what we are doing tonight: re-establishing priorities within the overall budget and saying here is an area of true need and care, a responsibility that we have to address, and we are open, caring, and responsible in addressing it.

I am proud to serve as chairman of the committee. I am proud to work with my colleague from Texas who is the chairman of the appropriating committee. With the combination of all of us in a very real and bipartisan way, we are going to meet the needs of veterans we always have, and we are going to meet them with a budget that represents a 3.7-percent increase over last year.

In as tight a fiscal year as we are in, that is a large and responsible and sensitive increase of which I am proud. I will yield the floor, and we will be back tomorrow to debate this important issue as we ask our colleagues to support us in the task we believe when we look at all the facts and figures, when we look at the 43-percent increase in veterans spending over the last 4 years, when we see the increase of veterans going out and the quality of health care going up and the efficiency of the system to produce—and it has produced it—then this is in itself a truly responsible and caring budget, and I am proud to be a sponsor of it along with my colleagues.

We will ask the Senate to support us in this effort. I yield the floor and yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, how much time do I have?

The ACTING PRESIDENT pro tempore. The Senator has 3 minutes 9 seconds remaining.

Mrs. MURRAY. Mr. President, the Senator from Idaho, who has assumed this year the work of chairing the Veterans’ Affairs’ Committee, does have a true compassion for veterans. I appreciate his work and his diligence on this and all the work he is attempting to do to take care of our veterans because he shares with all of us a concern of making sure we take care of those who have served us.

We just have a difference of opinion on the amendment that we have offered on this side. There are $70 billion worth of tax cuts that are assumed in this budget. All we are saying with our amendment is let’s assume over $67 billion instead of $70 billion and use that amount for our veterans.

I am one who believes that when we ask our men and women to serve, we have to keep a commitment to them that we will be there to take care of them when they come home. It is part of the cost of war. I agree with the Senator from Idaho, the chairman of the Veterans’ Committee, that we have increased veterans care. We had to. We have more veterans. We have increased it 43 percent over the past 4 years. But I remind colleagues that the number of veterans needing veterans health care has increased 38 percent. Medical inflation has increased 92 percent. Even with the amendment that Republicans have offered, we will not be meeting the needs of the veterans, the men and women who have served this country.

I believe we have a responsibility to do that. I believe we cannot tell the next generation we are going to ask to serve that we are only going to take care of 43 percent or 60 percent. We have an obligation to take care of their health care when they come home.

The amendment offered on this side by Senator KAKA and myself will assure us we can go home and our tell veterans they have been there for us and they will not be turned away. They have served us and we should serve them.

I am one who believes the cost of taking care of veterans is a cost war. It is not a cost we should pass on to the next generation. It is a cost we should ignore. It is a cost that we have a responsibility to take care of.

I commend the Senator from Idaho for his amendment. I appreciate his attempt to raise it. But I say we have to make sure that all are cared for. I believe that is a cost of war and it is a cost we should assume. I urge my colleagues to vote for the amendment that was offered on this side so we can make sure when we go home and face our veterans, the men and women who are coming home today from Iraq and Afghanistan will have the services they need. It is the least we can do.

Mr. DEWINE. Mr. President, amendment No. 153 is a sense of the Senate expressing the impeding treatment to children infected with HIV/AIDS. I encourage all of my colleagues to read the amendment and ask that they join us as cosponsors to show support for pediatric treatment of HIV/AIDS. I must oppose the prevention of mother-to-child transmission, which, when effectively implemented in the United States, has resulted in the near elimination, less than 2 percent transmission, of mother-to-child HIV/AIDS transmission. By contrast, in resource-poor settings, less than 10 percent of pregnant women living with HIV have access to services to prevent mother-to-child transmission of HIV. It is inexusable for us not to do something to continue to reduce the rate of transmission of mother to child. With the President’s Emergency AIDS Initiative, we have certainly made some progress, but there is always more to do.

But, we cannot stop at preventing the transmission. We have to ensure that there is treatment available for children when necessary.

Approximately 2.2 million children under the age of 15 are infected with the HIV virus, and 1,900 children worldwide are infected with HIV each day. To date, more than 4 million children worldwide are estimated to have died from AIDS. We must ensure that HIV-positive children and children with AIDS are no longer overlooked and that they begin receiving the treatment and care that they deserve.

Few programs specifically target the treatment of children with HIV/AIDS in resource-poor countries due to significant challenges in diagnosing and treating infants and young children with HIV. Such challenges include difficulty in diagnosing HIV in infants less than 18 months of age; lack of appropriate and affordable pediatric HIV/AIDS prevention and the near elimination, less than 2 percent transmission, of mother-to-child transmission of HIV. It is inexusable for us not to do something to continue to reduce the rate of transmission of mother to child. With the President’s Emergency AIDS Initiative, we have certainly made some progress, but there is always more to do.

But, we cannot stop at preventing the transmission. We have to ensure that there is treatment available for children when necessary.
Of those 10 million children who die each year worldwide, 3.9 million occur in the first 28 days of life. These babies don’t even have a shot at living their lives. Yet, two-thirds of these deaths could be prevented if available and affordable interventions had reached the children and mothers who needed them.

Malnutrition contributes to 54 percent of all childhood deaths. And, as many as 3 million children die annually of its effects. Of the estimated 400,000 cases of childhood blindness are reported each year. According to World Health Organization estimates, at least 30 million infants still do not have access to basic immunization services, and over 4.4 million children died from vaccine preventable diseases in 2001—diseases such as hepatitis, polio, and tetanus. Of all the vaccine-preventable diseases, measles clearly stands out as another example of a disease that could be eliminated, claiming the lives of 745,000 children—more than half of them in Africa. Yet, vaccine-preventable deaths could actually be cut in half by 2005 if these children were receiving proper vaccinations.

Recently, the Lancet, which ran a series of articles last year about child survival, has launched a series of articles about neonatal death. Here is what the first few articles reveal: Of the 130 million babies born every year, about 4 million die in the first 4 weeks of life—the neonatal period. In poor communities, many babies who die are unnamed and unrecorded, indicating that the pervasiveness of this crisis defies description. [Also], 450 newborn children die every hour, mainly from preventable causes.

This is unconscionable, and it is an emergency situation. There really isn’t any other way to describe it. Over 10 million children dying each year from preventable and treatable illnesses is an emergency.

But this emergency cannot be resolved through short-term, temporary, or band-aid programs that are intended to make any real headway in improving the health of women and children in the long-term, we need to take some bold and radical steps and be committed to supporting maternal and child health programs not just now, but next year and the year after and the year after that. Our funding simply cannot be administered in a single-dose.

Our amendment would allocate additional funding not just for maternal and neonatal death and improve maternal health, including the prevention of obstetric fistulas and other types of injuries and disabilities resulting from childbirth in unsafe circumstances. The women who are at risk for injuries and childbirth complications, which is why it is so important to have skilled attendants—midwives, doctors, or nurses—present at birth. Yet, only about half of the world’s women give birth with a skilled attendant available.

Child survival and maternal health funding provides resources so that USAID can provide training and technical assistance in infection prevention and quality of care, as well as needed equipment and supplies to bring health facilities up to a level where they can provide safe and effective emergency and post-natal care. Child survival interventions work, and they are the most cost-effective tools we have in the struggle for better global health. We can and should invest in these programs as they increase developing countries’ access to basic health services—services like vaccinations, immunizations, micronutrient programs, and vitamin supplements.

If we make this investment and work toward equal access to health care, we help ensure that mothers receive proper prenatal care, that children and families receive nutrition counseling and vitamin supplements, and that children receive the necessary immunizations and vaccinations to live healthy lives. But unless we fail to make a sufficient and sustained investment in the development of public health systems that provide primary care, mothers will continue to die prematurely during childbirth, children will continue to suffer from preventable disease and causes and lift expectancies in these developing nations will stagnate or perhaps even decrease. That is not an acceptable future for any of us.

I ask my colleagues to join us in supporting this amendment.

Mr. OBAMA. Mr. President, I have come to the floor as a cosponsor on the Sarbanes amendment to the budget to protect funding for the development block grant CDBG administered at the Department of Housing and Urban Development.

This program is crucial to the development of low income communities across America.

As you know, the administration has proposed a plan in the 2006 budget to consolidate 18 existing economic and community development programs into one program—known as the Community Development Block Grant Program—also called the CDBG program—is the largest of those 18 programs.

The grants previously awarded under these 18 programs would be awarded in the name of a single, newly formed strengthening America’s communities, SAC grant program.

Upon examining this proposal, it becomes clear that the President’s proposal will mean less assistance for low-income communities and a dismantling of relationships within a community development infrastructure of public servants and community-based organizations that we have built over the last 30 years.

Under the proposal, the total budget for these 18 programs would drop 30 percent from $5.31 billion in 2005 to a proposed $3.71 billion in 2006. That means less money for home ownership, less money for economic development, less money for communities struggling in changing economy.
To give you a sense of what that means for State and local governments, consider that in 2005 the community development block grant, CDBG, program alone was funded at $4.15 billion, $450 million more than the $3.7 billion requested for the total CDBG program in the House-passed consolidated under the new strengthening America’s communities grant program in 2006.

That is not a consolidation of programs. It is a direct attempt to dismantle those programs. That is why the U.S. Conference of Mayors, the National Association of Counties, and the National League of Cities all oppose this.

As those groups have pointed out, the Commerce Department lacks the capacity to administer the newly proposed program. HUD has 1,100 urban, suburban, and rural CDBG grantees, constituting a strong infrastructure for program administration. And, HUD’s $4.7 billion CDBG program dwarfs the Commerce Department’s $227 million economic development program. HUD has skills and experience Commerce lacks.

On March 4, 2005, I wrote a letter to Chairman GINGRZIG and Ranking Member CONRAD supporting full funding for the CDBG and objecting to its transfer to the Department of Commerce from HUD.

Those who are closest to the needs of low-income communities our Nation’s Governors, community-based organizations in Illinois, and local government officials from Illinois have all come out in support of the Sarbanes amendment. They know the CDBG program works and have shared success stories of communities strengthened with CDBG funds. They respect the public servants that administer the program, and they have developed a working partnership with them.

In Illinois, communities large and small are making the most of this assistance.

The city of Chicago, for example, which has already seen its formula share of CDBG funds reduced by $14 million over the last 3 years, has focused its CDBG priorities on five specific program areas: affordable housing, youth programming, health clinics, job training, and support services to groups with specific needs, such as domestic violence, emergency food aid, and meals on wheels.

Let me give you a specific example of CDBG funds in action. Mujeres Latinas en Acción is an organization in Chicago’s Pilsen community that serves Latinas and their families. The total they receive in CDBG funds both through the city of Chicago and the city of Cicero is close to $170,000.

Mujeres Latinas en Acción depends on CDBG funds to support services such as rental assistance for program participants to prevent homelessness. They have developed comprehensive services for victims of domestic violence including crisis intervention, court advocacy, individual counseling, group counseling, 24-hour crisis hotline, and referrals to shelters. And, the group also uses CDBG funds to provide services to young people promoting the development of peaceful relationships, open communication with peers and family, and family planning. The goal of the program is to provide youth a variety of age appropriate structured activities during nonschool hours to help prevent teen involvement in gangs, alcohol and drug use, sexual activity, pregnancy, and other problems facing adolescents in low-income communities.

In Champaign, IL, CDBG funds have been used to help low-income families become homeowners, make homes accessible for the disabled, provide credit counseling, construct emergency and transitional shelters for the homeless, and provide a broad range of services to people in need. A number of towns in St. Clair County, IL, are using CDBG funds for housing rehabilitation grants and loans for their low to moderate income residents.

As you can see, these proposed cuts in the CDBG program affect big cities and smaller towns. Chicago Mayor Richard M. Daley wrote me that, "Significant reductions in CDBG funds . . . would have a serious effect on the network of community-based organizations throughout the city which rely on CDBG for their existence. A number of them would likely close their doors." And, in the words of Eric Kollogg, the mayor of Harvey, IL, population 30,000, "Many have characterized CDBG as the best federal domestic program ever enacted because of its flexibility and adaptability in meeting the needs of a diverse America."

The CDBG program works. Let’s not destroy it.

I urge my colleagues to support the Sarbanes amendment.

MORNING BUSINESS

UNIVERSITY OF MONTANA GRIZZLIES IN THE NCAA

Mr. BAUCUS. Mr. President, I rise today to congratulate the University of Montana, which for the first time since 1997 will watch both its men’s and its women’s basketball teams advance to the NCAA tournament, and we do so with Big Sky tournament champions fresh in hand.

The University of Montana men’s basketball team will head to the tournament for the sixth time in school history. The Grizzlies now face a daunting task, facing the No. 1 seed University of Washington, and we are going to cheer them on.

Under Coach Larry Krystkowiak, we have a coach and a team that is going to win. Larry was a legendary basketball player for the Grizzlies in the 1980s, rising all the way up to the NBA, and now sports a 16-2 record as head coach of the Grizzlies, he is a champion.

We won the tournament. We are going to beat those characters over in the State of Washington. We are going to win the next round.

The Lady Grizzly basketball team is leading to the tournament for the 16th time in school history. They will face Vanderbilt, and I am quite confident head coach Robin Selvig—just a terrific coach—who will have his team ready to play.

Both teams represent that which is great about college athletics: fellowship, sportsmanship, and fair play. They are great kids. The student athletes conduct themselves with dignity and class, and I am very proud how well they have represented my home State, and we are very proud to see them compete on a national stage for the national championship. All I have to say is, watch out, Vanderbilt; watch out, University of Washington. Montana is coming.

LOCAL LAW ENFORCEMENT ENFORCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new crimes to the federal hate crime law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

Last September, a gay tourist was attacked outside a popular gay club in Hawaii. The woman was walking to the club with two of her friends when she was approached by two men. One of the men asked if the women were gay. When the men found out that the women were lesbians, they began to shout antigay epithets at them, and the tourist was struck in the face. She received several fractures below her eye, a broken jaw, and a concussion from the attack.

I believe that the Government’s first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

RUSSIAN SUPPORT FOR THE SYRIAN REGIME

Mr. BROWNBACK. Mr. President, the Helsinki Commission, which I chair, held a hearing last week that examined the close relationship between Russian Federation and Syria. The Commission heard testimony detailing their intricate financial and military dealings that began in the earliest days of the Cold War and continue to this day.

This relationship allows Syria to continue to support terrorist groups, groups that have terrorized Lebanon for the past three decades and fuel the insurgency in Iraq. In addition,
we heard about Syria’s support of terrorist organizations who operate around the world. Finally, we heard from both Lebanese and Syrians committed to freedom and democracy who have become victims of the Assad regime and are now languishing in the prison cells of Damascus.

The Commission’s concern regarding Russia’s involvement with Syria—a country that has been listed as a state sponsor of terrorism since 1979 by the State Department—derives from the Helsinki commitments that Russia has freely accepted as a participating State of the Organization for Cooperation and Security in Europe OSCE. The OSCE Charter on Preventing and Combating Terrorism was agreed to at the Porto Ministerial in 2002. Russia then committed to refrain from instigating or providing active or passive support or assistance to, or otherwise sponsoring terrorist acts in another state. Russia also committed to reducing the risk of weapons and materials of mass destruction and their means of delivery.

Russia’s support for the terrorist regime in Damascus flies in the face of these commitments. Russia is an active State sponsor of terrorism. The Ba’ath Party was described by one of our witnesses as the richest terrorist organization in the region. The Syrian regime has received untold amounts of military hardware, much of which are currently being used by terrorists in Iraq against our American troops and our allies. Additionally, Syrian intelligence supports terrorist units in Iraq, composed not only of Syrians, but including Egyptians, Sudanese, Moroccans, and other Islamic mujaheddin.

Even more alarming is Russia’s plan to sell an unknown number of Igla SA-18 shoulder-held missiles to Syria. Such a sale to this terrorist state is more than criminal. This sale will put in the hands of terrorists some of the most sophisticated shoulder-held missiles in the Russian inventory, and increases the likelihood that they will get into the arsenals of other terrorist organizations around the world. Despite Russia’s denials, indicators are that this sale will go forward soon, putting at risk every airline flight, every military flight, with the potential for massive loss of life and the shutting down of modern transportation around the world.

We must focus on the fact that, while there is no apparent direct Russian involvement in Iraq, this direct support of Syrian military and intelligence operations, coupled with Syria’s support for Hezbollah in Lebanon and the long list of evil deeds coming out of Damascus, cast Russia as a suspicious party to these terrorist activities. We should not sit idly by and allow this to transpire without comment. We must call upon President Bush and Secretary Rice to reiterate U.S. demands that Russia disengage from its support of Syria, a state sponsor of terrorism. It is not enough to stop the sale of the missiles. Complete cessation of financial and military support to this rogue regime is necessary.

On the eve of the Helsinki Commission hearing, a courageous group of human rights activists and pro democracy reformists held a demonstration in Damascus, a daring display of dissent quickly broken up by the security forces. One of the protestors held up at banner that read: “Freedom for Prisoners of Opinion and Conscience.” According to the Syrian Human Rights Committee, the Assad regime in Damascus has executed nearly 17,000 Syrian and Lebanese prisoners. Additionally, there are over 600 prisoners of conscience in Syrian jails, champions of human rights, accountability and transparency who are still languishing under horrible conditions.

I would like to highlight a few of these prisoners of conscience whose names were submitted to us by one of the witnesses: the immediate release: Riad Seif, member of parliament; Aref Dalllah, economist; Maamun al-Homsi, member of parliament; Abdul Aziz al-Khayyer, physician; Habib Issa, lawyer; Walid al-Bounni, physician; Mohammad Bashir al-Arabi, dentist, and doctor; Muhanad al-Debs, student leader; Mahmoud Amo, activist; Mahmoud Abou Sader, activist; Mazid Ali Al-Terkawi, businessman; and Fawaz Tello, engineer.

I was pleased to hear of Syria’s promise to a U.N. envoy to withdraw its troops and intelligence agents from Lebanon, but as the counter-demonstrations yesterday against Syria demanded, Damascus must follow through with actions as soon as possible. I am hoping that details of the withdrawal plan from U.N. envoy Terje Roed-Larsen after his talks with Syrian President Bashar Assad and Lebanese President Emile Lahoud will allow the people of Lebanon to hold their parliamentary elections in May without any interference from the Syrians and to do so in a manner that is free, timely, and transparent.

What would be acceptable is the kind of warning issued by Prime Minister-designate Omar Karami that polls may have to be postponed if the country’s political opposition fails to enter a dialogue with the government. Such an effort will surely ignite the kind of violence that the Lebanese people have been yearning for so many years to avoid.

It is time for the international community to lend support for the slogan that defines the people’s revolution in Lebanon and in the region: “Kifaya,” which means “enough.” Let’s listen to what the people in Lebanon are saying for what they are saying is now being heard not only in Beirut but in Damascus, in Cairo, and in Riyadh: enough of autocrats, enough of the corruption, and enough of the repression.

WINDS OF CHANGE IN ROMANIA?
Mr. BROWNBACK. Mr. President, I rise to congratulate the people of Romania and newly elected President Traian Basescu on the success of their recent national elections, and to encourage them in their efforts to consolidate democracy in Romania. In the 13 years since the fall of the brutal Communist dictatorship which ruled that country for decades, Romania has undertaken four successful national elections and peaceful transfers of power, and has made important strides in building democratic institutions and the rule of law.

I was recently appointed chairman of the Commission on Security and Cooperation in Europe—the Helsinki Commission—and have followed events in Romania for many years. In that capacity, I look forward to working with the government and the people of Romania on the challenges confronting both of our countries.

President Basescu is a good friend of the United States and a strong partner in the war on global terrorism. I thank the Government of Romania for its steadfast support of Operation Enduring Freedom in Afghanistan, where a Romanian battalion serves on the ground, and for its support of the U.S.-led military action in Iraq. More than 700 Romanian soldiers contributed to the efforts that supported the people of Iraq in their historic ballot. Romania is our NATO ally and the anticipated accession to the European Union in 2007.

President Basescu has recognized that endemic corruption and the poverty it breeds are a threat to Romania’s national security, and his government is already taking steps to combat this scourge and to institute effective government reform. We commend the President’s efforts and stand ready to assist him as he shines the light of transparency across Romania.

President Basescu’s focus and determination give me hope that progress can also be made on a number of matters that have been of concern.

In 2001, Romania imposed a moratorium on all international adoptions under pressure from the European Union, and amid allegations of "baby selling." This moratorium was extended several times pending development of comprehensive child protection legislation to include new rules on adoption. The new legislation came into effect in January of this year and limits international adoption to the grandparents of the Romanian child—effectively ending international adoption. More than 200 U.S. families were in the process of adopting Romanian children when the moratorium was established, and the Government of Romania indicated that it would proceed with those adoption requests that were "already in the pipeline." However, to date, these cases remain unresolved.

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am particularly concerned about the over 200 adoption cases which were already being processed for U.S. parents, and I urge the Government of Romania to resolve these cases quickly, so these children can be placed with the families who have already been approved. I also urge President Basescu to consider revising existing law to allow the resumption of international adoptions with appropriate safeguards.

The Government of Romania enacted a comprehensive anti-discrimination law in 2000 and has in place a national action plan on Roma. Yet the great majority of Roma and Sinti in Romania remain marginalized, living in abject poverty due to severe discrimination in employment, housing, and education. President Basescu should take bold and concrete steps to ensure that Romani citizens have full opportunity to participate in the civil and political life of Romania. The establishment of a fund to implement school desegregation and an important step forward in achieving that goal and would make the Romanian government’s participation in the Decade of Roma Inclusion truly meaningful.

Following a lack of denial, the Government of Romania has made great strides in the past year in recognizing Romania’s role in the Holocaust. I commend the government for taking steps to examine this dark and painful chapter in the country’s history. The International Commission for the Study of the Holocaust in Romania, led by Elle Wiesel, officially issued its findings last November in Bucharest. In addition to the establishment of a national Holocaust Remembrance day, which Romania marks on October 12, the Commission’s recommendations include the construction of a national Holocaust memorial and museum in Bucharest, the annulment of war criminal rehabilitations, and the establishment of Holocaust education curricula and Holocaust courses in secondary schools and universities. The government should move quickly to implement that Commission’s recommendations.

In a related matter, I hope that the Government of Romania will finally bring to closure the rehabilitation and honoring of World War II dictator, Marshall Ion Antonescu. Hitler ally and war criminal condemned for the mass executions and Roma and women’s stolen freedom. Still, the past 3 years, government officials publicly condemned efforts to honor Antonescu and removed from public land three statues that had been erected in his honor. One statue remains on public land in Jilava, the site of Antonescu’s execution, and important streets in the cities of Cluj, Targu Mures, and Campulung Muscel continue to be named after him. I urge the Government of Romania to remove these remaining vestiges honoring the former dictator.

The process of providing restitution or compensation for property confiscated by former regimes in Romania has been slow, complicated, and difficult. Government records indicate that more than 200,000 claims for property restitution have been filed by individuals, and more than 7,000 claims have been filed by religious denominations and communal groups. The plight of Romania’s Greek Catholic Church, which was banned by the Communist government in 1948, is particularly troubling. More than 2,500 churches and other buildings seized from the Uniates were given to Orthodox parishes, but a 1948 decree that dismantled the Greek Catholic Church was abrogated in 1989, however, of the thousands of properties confiscated from the Greek Catholics, fewer than 200 have been returned. I hope that this government will finally take significant steps toward the restitution of Greek Catholic property as well as that of other religious denominations. Romania’s failure to return religious properties to their rightful owners 15 years after Communist rule has eroded the sense of religious community in view of allegations of corruption within the government community, light penalties for those convicted of trafficking, and proposals to legalize or regulate prostitution.

Greater accountability is needed among members of the law enforcement community in view of allegations that officials have assisted traffickers in obtaining false passports, facilitated illegal border crossings and accepted bribes to tamper with witnesses’ testimony. Traffickers are increasingly likely to be prosecuted for their crimes in Romania, however, the penalties imposed by judges are still too low—usually 1 year or less in prison. Penalties should be severe enough to reflect the heinous nature of the crime and to serve as a deterrent to other prospective traffickers. Finally, it is important for the government to take a firm stance against all efforts to legalize or regulate prostitution. Legalized and regulated prostitution is a magnet for human traffickers and provides a shield behind which traffickers hide.

While many challenges remain on the road ahead for President Basescu, his new government, and the people of Romania, I am convinced that, working together, they will move toward a bright and prosperous future. I stand ready to assist our friends in Romania in any way I can.

INTERNATIONAL DAY OF ACTION AGAINST SLAUGHTER OF SEALS

Mr. LEVIN. Mr. President, today there will be rallies in 50 cities across the world calling on the Canadian Government to stop the cruel and needless slaughter of seals. Animal protection and environmental groups in the U.S. and throughout the world have condemned Canada’s increased seal hunt, which allows sealers to kill over 300,000 baby seals this year alone. The hunt officially opened on Nov. 15, 2004, but the bulk of the killing will begin toward the end of March, after the babies have been born. They will be clubbed and shot in their sleep.

A recent study was conducted by an independent team of veterinarians which found that the seal hunt failed to comply with basic animal welfare standards and that Canadian regulations, in regard to bludgeons, were not being enforced. The study concluded that up to 42 percent of the seals studied were likely skinned while alive and conscious. The United States has long banned imports of seal products because of concerns of cruelty over the magnitude and cruelty of the hunt.

Our neighbor to the north is fortunate to have vast and diverse wildlife populations—animals that deserve protection, not senseless slaughter. Americans have a long history of defending marine mammals, best evidenced through our Marine Mammal Protection Act. Not surprisingly, recent polls show close to 80 percent of Americans oppose Canada’s seal hunt, and the majority of those surveyed are willing to make consumer choices that will help put a stop to the slaughter.

On February 1, 2005, Senator Collins and I introduced a resolution, S. Res. 33, which urges the Government of Canada to end this senseless, inhumane slaughter. We are pleased that 18 of our colleagues in the Senate have cosponsored this resolution: Senators LUGAR, KENNY, REED, SCHUMER, Wyden, FEINGOLD and BOXER.

ADDITIONAL STATEMENTS

CONGRATULATING THE POPLAR BLUFF MULES

Mr. TALENT. Mr. President, I want to recognize today the distinguished accomplishments of the Mules, the Poplar Bluff High School Boys Basketball Team of Poplar Bluff, MO, and congratulate them on winning the 2005 Missouri Class 5 State Championship for Boys Basketball.

The team had a truly remarkable season, and their accomplishment was hard fought and well deserved.

Working as a team, these talented young men pulled together to defeat the previously unbeaten No. 1 ranked team in the Nation.

The Mules finished with a record of 27 wins and only 4 losses, with 2 of those losses against teams that were, at the time, ranked in the top 10 in the Nation. The State title win was the
Mr. BUNNING. Mr. President, today I wish to recognize nominees for the Regional Academic All-Star Team from the Pennyroyal region in western Kentucky.

The Regional Academic All-Star program’s purpose is to recognize top academic scholars and performers. Students from Caldwell, Christian, Trigg and Todd Counties of Kentucky were nominated based on their academic performance, which distinguishes them in English, foreign language, journalism, mathematics, science, social studies and the creative and performing arts. The students are judged on their core academic scores, the curriculum of the student, their grade point average, academic honors earned, unique accomplishments and achievements, extracurricular activities, employment history, and an autobiographical essay.

Education is the foundation upon which we reach our human potential. Students in Kentucky are developing their talents, furthering their education, and pursuing their aspirations in life through programs such as the Academic All-Star program. Encouragement and recognition develop confidence and achievement among young Americans—the future leaders of our country.

The following students have been nominated for their academic excellence:

- Griffin Blane, Christian Co. High School
- Gregory Kyle Rader, Hopkinsville High School
- Dianne Lisette Rousseau, Caldwell Co. High School
- Whitney Scott, Heritage Christian Academy
- Jennifer Renea Fowler, Todd Co. Central High School
- Samantha Joy White, Christian Co. High School
- Chad Darrel Brown, Todd Co. Central High School
- Lashayla Lynne Ortiz, Christian Co. High School
- Drew Martin Swain, University Heights Academy
- Sarah Christine Wilson, Heritage Christian Academy
- Marianne Wyn Lassiter, Hopkinsville High School
- Amy Beth Shenwell, Todd Co. Central High School
- Bethany Laura Lynne Ortiz, Christian Co. High School
- Jerika Nashea Wilson, Trigg Co. High School
- Melissa Nall, Hopkinsville High School
- Kathryn Elizabeth Gill, Todd Co. Central High School
- Jonathan Christopher Bass, University Heights Academy
- Zachary Daniel Ferguson, Christian Co. High School
- Erika Elaine MacMilllan, Heritage Christian Academy
- Ryan David Mullen, University Heights Academy
- Andrew Christian Chiles, Hopkinsville High School
- Barry Eli Knoblock, Todd Co. Central High School
- Paul Thomas Latham, Christian Co. High School
- Joshua Allen Fitzhugh, Trigg Co. High School
- Sarah Christine Wilson, Heritage Christian Academy
- William Matthew Suiter, Todd Co. Central High School
- Amy Nicole Adams, Caldwell Co. High School
- Norman Bradley Fox, University Heights Academy
- Juliana Elsey Patterson, Trigg Co. High School
- Robert Kyle Whitaker, Heritage Christian Academy
- Pretesh Parmar, Hopkinsville High School
- Nicholas Pickford Thompson, Christian Co. High School
- Dustin Lynn Kostalek, Hopkinsville High School
- Ann Marie Crabtree, Trigg Co. High School
- Kelley Lynn Smiley, Christian Co. High School
- Meera Ramesh Patel, University Heights Academy
- John Hayes Laster, Todd Co. Central High School
- Emily Scott, Heritage Christian Academy
- Sarah Beth Vied, Caldwell Co. High School

All of these students carry the spirit, commitment, and sacrifice that we all should strive for in our daily lives. The citizens of Kentucky should be proud to have these young men and women in their community. Their example of dedication and hard work should be an inspiration to the entire Commonwealth. I extend my thanks to these students for their efforts, and I am proud to bring their accomplishments to the attention of the Senate.

HATTIE CARAWAY

- Mrs. LINCOLN. Mr. President, every year in March we celebrate Women’s History Month. It offers us the opportunity to honor the women who have made historical contributions to our Nation. It also allows us time to reflect on their achievements, which continue to inspire us every single day.

Today, I rise in tribute to one of these very women. A woman dear to my heart and dear to the hearts of generations of Arkansans, whose courage and convictions forever changed the history of this Great Body. That woman is Hattie Ophelia Wyatt Caraway. On January 12, 1932, this Arkansan became the first woman ever elected to the United States Senate.

When we think of the life of Hattie Caraway, we think of a full bond to the family, State, and country that she loved so deeply. Those who knew her were drawn to her endearing sense of humor, her gentle and dignified manner, and her warmth. The example she set, both personally and professionally, has always been an inspiration to me, and as the second woman to serve Arkansas in the U.S. Senate, I feel a special bond with Hattie and am humbled to follow in her footsteps. Hattie Caraway came to this distinguished body on November 13, 1931, following the death of her husband, Senator Thaddeus Caraway. An appointment by the Governor of Arkansas allowed her to temporarily fill the seat he left behind, and an election the following year completed her term. Hattie Caraway was never one to make decisions based on the expectations of others. With a firm belief that “women are just as loyal, courageous, and self-sacrificing as men,” she stood boldly in the face of overwhelming odds to campaign and run as a full candidate for a seat that she had little campaign funding and was less experienced than her male opponents. She got support from an unlikely source—the legendary Senator Huey Long, of neighboring Louisiana. Not only were the Caraways and the Longs close friends but Senator Long had come to respect his new female colleague for her undaunted courage in voting against special interests and standing up for the people in her home State. Upon arriving in Arkansas to campaign, the two of them would accomplish together that first week of August in 1931 would become legend. The week-long “Hattie and Huey Tour” wound its way through the State, speaking in more than 35 communities, traveling over 2,000 miles, and drawing huge crowds. With the fiery Long imploring crowds that, “If Wall Street and their gang succeed in defeating enough Senators who have stood with the people like this little woman from Arkansas, you’ll never be able to get anyone from this State to stand by you again,” he effectively introduced Hattie to new areas...
of the State. As a result, the depression-stricken Arkansans who had endured months of unemployment, poverty, and low farm prices began to see Hattie Caraway for who she was, an honorable friend and neighbor who would always remain an advocate for the best interests of them and their families. At the polls, the people of Arkansas stood by Hattie in overwhelming numbers, doubling the votes of her nearest rival and carrying 61 of Arkansas’ 75 counties.

In the Senate, it was rare for “Silent Hattie” to participate actively in debate or deliver a speech to the chamber. She had learned from her husband’s years of public service and was weary of the politicians who placed a higher priority on hearing their own voice than working on behalf of the people they were elected to represent, often remarking, “It’s funny how they talk on after we’ve all made up our minds.” Senator Caraway took her responsibilities as a legislator seriously and built a reputation among her colleagues as a woman of integrity who showed a determination to faithfully champion the interests of Arkansas above everything else.

Although she maintained her political independence, Hattie was a proponent of much of the legislation proposed under President Franklin Roosevelt’s New Deal. As a friend to the veterans and an advocate for groups, Hattie also advocated commercial aviation safety and used her seat on the Senate Agriculture Committee to fight for farm relief and flood control on behalf of Arkansas farmers. Her diligent service and effective advocacy of legislation for Arkansas won her another term in 1938, beating in the Democratic primary a legend in Arkansas politics who would later serve 34 years in the U.S. Senate, John L. McClellan.

Quickly becoming accustomed to breaking the Senate’s gender barriers, Hattie became the first woman to chair a Senate committee, the Committee on Enrolled Bills, in 1933 and 10 years later would become the first woman to serve as Presiding Officer on the floor of the Senate. Her legacy would also be distinguished by the support she offered for many of the Nation’s historical pieces of legislation. One of these bills was President Roosevelt’s lend-lease proposal and Hattie gained national notoriety by speaking assertively on its behalf. This program of lending supplies and materials to England to assist in their war effort was viewed by many isolationists in the United States as an unnecessary measure that would drag our Nation into war. In that time, women were seldom involved in issues of war and national security but Hattie’s voice was influential in passing the lend-lease bill through Congress. Hoping to avoid war at all costs and lend-lease had only strengthened England’s effort to provide the “last wall protecting us from Nazism.” As the proud mother of sons serving our Nation in uniform, she was a credible voice on the issue and her plea to view the matter without emotion struck a chord among Americans.

Hattie’s historic Senate career came to a conclusion during the Democratic primary of 1944, when she was defeated by another Arkansas political legend, J. William Fulbright. At the conclusion of her final term, Hattie was honored by her colleagues with an standing ovation on the floor of the Senate. Those on hand described it as “almost without precedent.”

Although Hattie passed away in December of 1947, her impact is still felt in the institution she served and by all of those who have found inspiration in the life she led. In 1996, a portrait of Hattie was placed just outside the Senate Chamber in the U.S. Capitol. The portrait is only the second in the Senate, a place which honors a woman: the first is Pocahontas. In 2001, Hattie made history again when she became the first Arkansan to ever appear on a stamp and I was proud to help unveil the 76-cent Hattie Caraway stamp, as a part of the Postal Service’s “Distinguished Americans” series.

While there are many ways for us to remember Hattie, her lasting legacy will live on in those who have been inspired by her example and in the generations of women seeking elective office who have followed the road she has so boldly paved. We have come a long way since the Suffragist Movement at the beginning of the century, and we have women like Hattie Caraway to thank. Thirty-one women have followed Hattie Caraway to the U.S. Senate, and today, a record 14 women are currently serving. With the 68 women currently serving in the U.S. House of Representatives, a record 82 currently women serve in the U.S. Congress today. Hattie would be proud. It is up to us to continue the progress she made and to urge a new generation to follow the heroic example she set and so many other pioneering women.

When I think of Hattie Caraway, I think of a quote she made throughout her 1932 campaign. I carried it with me throughout my first Senate campaign: “If I can hold on to my sense of humor and a modicum of dignity, I shall have a wonderful time running for office whether I get there or not.” Well, Hattie, you got there. In the process, your humor carried you through and your dignity galvanized you the attention of generations who are inspired to follow in your footsteps despite whatever barriers they may encounter or traditions they must overcome.

In the illustrious history of this great body and in the hearts of those who are inspired by her courage, one woman clearly stands out. Her name is Hattie Caraway. I am proud to call her a hero. I am proud to call her one of my heroes.

Each of us has our own personal story about a woman who has provided our lives with hope and inspiration. During this month, take some time to tell that story. By doing so, you will not only honor their efforts but may also inspire a member of our younger generation with both the imagination to think a bit larger, and the courage to boldly turn their dreams into reality.

ROCKY MOUNTAIN COLLEGE

- Mr. BAUCUS. Mr. President, I rise today to congratulate one of Montana’s fine educational institutions on its first national championship title. Rocky Mountain College, located in Billings, is Montana’s oldest institution of higher education. Last weekend, the men’s ski team became the overall national champions at the 27th Annual US Collegiate Ski Association Championships.

Montana’s schools may be smaller than the average universities around the Nation, but Rocky Mountain College has again proven that smaller schools can achieve giant results.

Under Coach Jerry Wolf’s leadership, the men’s ski team made history for Rocky Mountain College by leading the men’s ski team to their first national championship in the school’s history.

However, the men were not the only ones from the Big Sky State to shine that day. The Women’s ski team finished 10th overall. Both teams have made it to the national championships for the last 4 consecutive years but never with this excellent combination of results.

I want to recognize three students who finished events with times in the top 10: Pete Petry, Erik Willborg, and Johann Aaker. I know how hard all of the students on the ski team worked to achieve these fantastic finishes, and I am pleased to represent such talented individuals.

To both the men’s and women’s ski teams of Rocky Mountain College, congratulations on your fantastic seasons.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTED MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 1:30 p.m., a message from the House of Representatives, delivered by
Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 62. An act to create the Office of Chief Financial Officer of the Government of the Virgin Islands, and for other purposes.

H.R. 126. An act to amend Public Law 89–368 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore.

H.R. 186. An act to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term ground-water remediation program in California, and for other purposes.

H.R. 412. An act to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of establishing the Western Reserve Heritage Area.

H.R. 486. An act to provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico, for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base.

H.R. 584. An act to authorize the Secretary of the Interior to recruit volunteers to assist with the activities of various agencies and offices of the Department of the Interior.

H.R. 690. An act to direct the Secretary of the Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, and for other purposes.

H.R. 694. An act to enhance the preservation and interpretation of the Gullah/Geechee cultural heritage, and for other purposes.

H.R. 816. An act to direct the Secretary of Agriculture to sell certain parcels of National Forest System land in Carson City and Douglas County, Nevada.

H.R. 1134. An act to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments.

H.R. 1160. An act to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2005, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 384. An act to extend the existence of the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group for 2 years.

The message further announced that pursuant to 20 U.S.C. 4303, and the order of the House of January 4, 2005, the Speaker appoints the following Members of the House of Representatives to the Board of Trustees of Gallaudet University: Mr. LAHOOD of Illinois.

The message also announced that pursuant to sections 5580 and 5581 of the Revised Statutes (20 U.S.C. 42–43), and the order of the House of January 4, 2005, the Speaker appoints the following Members of the House of Representatives to the Board of Regents of the Smithsonian Institution: Mr. REESE of Florida, Mr. HERBSTEIN of California, Mr. RANGEL of New York, and Mr. CARVIN of Maryland.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 62. An act to create the Office of Chief Financial Officer of the Government of the Virgin Islands, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 126. An act to amend Public Law 89–368 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore; to the Committee on Energy and Natural Resources.

H.R. 186. An act to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term ground-water remediation program in California, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 412. An act to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of establishing the Western Reserve Heritage Area; to the Committee on Energy and Natural Resources.

H.R. 486. An act to provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico, for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base; to the Committee on Energy and Natural Resources.

H.R. 584. An act to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior; to the Committee on Energy and Natural Resources.

H.R. 690. An act to direct the Secretary of the Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, and for other purposes; to the Committee on Indian Affairs.

H.R. 694. An act to enhance the preservation and interpretation of the Gullah/Geechee cultural heritage, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 816. An act to direct the Secretary of Agriculture to sell certain parcels of National Forest System land in Carson City and Douglas County, Nevada; to the Committee on Energy and Natural Resources.

H.R. 1134. An act to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments; to the Committee on Finance.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–1276. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, of a rule entitled: "Interest Rate Update Notice—Pension Funding Equity Act of 2004" (Notice 2005–26) received on March 14, 2005; to the Committee on Finance.

EC–1277. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a biennial report relative to the Physician Group Practice demonstration; to the Committee on Finance.

EC–1278. A communication from the Director, Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled: "Tobacco Transition Assessments" (RIN0560–AH31) received on March 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1279. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled: "Oriental Fruit Fly; Removal of Quarantined Area" (APHIS Docket No. 02–096–4) received on March 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1280. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled: "Bovine Spongiform Encephalopathy; Minimal-Risk Regions and Importation of Commodities: Partial Delay of Applicability" (RIN0579–AH73) received on March 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1281. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the annual report of the Railroad Retirement Board under the Government in the Sunshine Act for calendar year 2004; to the Committee on Homeland Security and Governmental Affairs.


EC–1283. A communication from the President and Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, the report of transactions involving exports to Chile; to the Committee on Banking, Housing, and Urban Affairs.

EC–1284. A communication from the Associate General Counsel, Office of General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled: "Loans to Members and Lines of Credit to Members" (12 C.F.R. Part 701) received on March 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–1285. A communication from the Deputy Assistant Secretary of the Army (Project Planning and Review), Department of Defense, transmitting, pursuant to law, the report of the Chief of Engineers on Dallas Flood Control Engineer Prine River Basin, Texas; to the Committee on Armed Services.

EC–1286. A communication from the Under Secretary of Defense, transmitting the report of a retirement; to the Committee on Armed Services.

EC–1287. A communication from the Under Secretary of Defense, transmitting the report of a retirement; to the Committee on Armed Services.
EC-1288. A communication from the Acting Secretary of the Air Force, Department of Defense, transmitting, pursuant to law, the report of and Average Procurement Unit Cost for 2005; to the Committee on Armed Services.

EC-1289. A communication from the Secretary, Judicial Conference of the United States, transmitting, a draft of proposed legislation to amend the Internal Revenue Code of 1986; to the Committee on the Judiciary.

EC-1290. A communication from the Secretary, Judicial Conference of the United States, transmitting, a draft of proposed legislation to amend the Higher Education Act of 1965; to the Committee on the Judiciary.

EC-1291. A communication from the Chairman, Office of General Counsel, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ‘Final Rules and Explanation and Justification on Political Party Committees Donating Funds to Certain Tax-Exempt Organizations and Political Organizations’ received on March 14, 2005; to the Committee on Rules and Administration.

EC-1292. A communication from the Chairman, Office of General Counsel, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ‘Filing Documents by Priority Mail, Express Mail, and Delivery Service’ received on March 14, 2005; to the Committee on Rules and Administration.

EC-1293. A communication from the Director, Office of National Drug Control Policy, Executive Office of the President, transmitting, the report of the Office’s objection to the Government Accountability Office’s (GAO) ‘Surveillance of the Anti-Deficiency Act’; to the Committee on Appropriations.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LUGAR for the Committee on Foreign Relations:

*M. Thomas Schieffer, of Texas, to be Ambassador to Japan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Nominee: John Thomas Schieffer.

Post: Ambassador to Japan.

Contributions, amount, date, and donee:

1. Self: $1,000.00, 8/2/00, Martin Frost Campaign Committee; $2,000.00, 6/14/04, Bush-Cheney '04 Inc.
2. Spouse: Susanne S. Schieffer: $2,000.00, 6/14/04, Bush-Cheney '04 Inc.
4. Parents: Gladys Payne Schieffer—deceased; John E. Schieffer—deceased.
5. Grandparents: Florence Payne—deceased; Worth Payne—deceased; Janette Schieffer—deceased; Emmett Schieffer—deceased.
6. Brothers and Spouses: Bob L. Schieffer; none; Patricia P. Schieffer; counsel.
7. Sisters and Spouse: Sharon Mayes, none; Roger Mayes, none.

Howard J. Krongard, of New Jersey, to be Inspector General, Office of Inspector General, Department of Housing and Urban Development. —

*David B. Balton, of the District of Columbia, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary of State. —

*Joseph R. DeTrant, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for the Six Party Talks. —

*John B. Ballinger, of Virginia, to be Legal Adviser of the Department of State. —

*R. Nicholas Burns, of Massachusetts, to be an Under Secretary of State (Political Affairs). —

*C. David Welch, of Virginia, to be an Assistant Secretary of State (East Asian and Pacific Affairs). —

*Rudolph E. Boschwitz, of Minnesota, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations. —

Mr. LUGAR, Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary’s desk for the information of Senators. —

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

Foreign Service nominations beginning with Walter N. North and ending with Robert J. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2005.

Foreign Service nominations beginning with Peter Fernandez and ending with Ross G. Kreamer, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2005.

Foreign Service nominations beginning with George Ruffner and ending with William Zaq, which nominations were received by the Senate and appeared in the Congressional Record on February 8, 2005.

Nomination was reported with recommendation that it be confirmed subject to the nominee’s commitment to respond to requests to appear and testify before any duly constituted committee of the Senate. (Nominations without as asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CONRAD (for himself and Mr. KYL):

S. 621. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for the depreciation of certain leasehold improvements; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. FEINGOLD, and Mr. LIEBERMAN):

S. 622. A bill to amend the Homeland Security Act of 2002 (Public Law 107–286) to provide for the protection of voluntarily furnished confidential information, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH:

S. 623. A bill to direct the Secretary of Interior to convey certain land held in trust for the Shoshone-Paiute Tribes of the Western Shoshone Reservation to the City of Richfield, Utah, and for other purposes; to the Committee on Indian Affairs.

By Mr. BAYH:

S. 624. A bill to amend title 10, United States Code, to protect the financial condition of members of the reserve components of the Armed Forces who are ordered to long-term active duty in support of a contingency operation, and for other purposes; to the Committee on Finance.

By Mr. SCHUMER:

S. 625. A bill to amend the Internal Revenue Code of 1986 to allow a $1,000 refundable credit for individuals who are bona fide volunteer members of volunteer firefighting and emergency medical service organizations; to the Committee on Finance.

By Mr. NELSON of Nebraska (for himself and Mrs. HUTCHISON):

S. 626. A bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certified diabetes educators who are recognized by a nationally recognized certifying body and who meet the same quality standards set forth for other providers of diabetes self management training, as certified providers for purposes of outpatient diabetes self-management services under part B of the medicare program; to the Committee on Finance.

By Mr. HATCH (for himself, Mr. BACHUS, Mr. GRASSLEY, Mr. SMITH, Mr. SCHUMER, and Mr. KERRY):

S. 627. A bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, to increase the rates of the alternative incremental credit, and to provide an alternative simplified credit for qualified research expenses; to the Committee on Finance.

By Mr. LUGAR (for himself, Mr. RINGA-MAN, Mr. DURBIN, and Mr. BUNNING):

S. 628. A joint resolution proposing increased planning and funding for health promotion programs of the Department of Health and Human Services; to the Committee on Health, Education, Labor and Pensions.

By Mr. SESSIONS (for himself and Mr. KYL):

S. 629. A joint resolution pursuant to the provisions of the Budget Enforcement Act of 1990; to the Committee on Indian Affairs.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 630. A bill to establish procedures for the acknowledgment of volunteer Tribes; to the Committee on Indian Affairs.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 631. A bill to provide grants to ensure full and fair participation in certain decisionmaking processes of the Bureau of Indian Affairs; to the Committee on Indian Affairs.

By Mr. KENNEDY (for himself, Mrs. MURRAY, Ms. CANTWELL, Mr. CORZINE, Mr. KERRY, Mr. LIEBERMAN, Mr. BASKIND, Ms. MIKULSKI, Mrs. BOXER, Mr. LAUTENBERG, Mr. LEVIN, Mr. DURBIN, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. HARRIS, and Mr. SMITH):

S. J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. COCHRAN (for himself, Mr. FRIST, and Mr. LEAHY):

S. J. Res. 8. A joint resolution providing for the appointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution on the Committee on Rules and Administration.

By Mr. COCHRAN (for himself, Mr. FRIST, and Mr. LEAHY):

S. J. Res. 9. A joint resolution providing for the appointment of Robert P. Kogod as a citizen regent of the Board of Regents of the
Smithsonian Institution; to the Committee on Rules and Administration.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ALLEN (for himself, Mr. LIEBERMAN, Mr. BAYH, and Mr. SMITH)
S. Res. 82. A resolution urging the European Union to add Hezbollah to the European Union’s wide-ranging list of terrorist organizations; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 21
At the request of Ms. COLLINS, the name of the Senator from Oklahoma (Mr. CORBURN) was added as a cosponsor of S. 21, a bill to provide for homeland security grant coordination and simplification, and for other purposes.

S. 65
At the request of Mr. INHOFE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 65, a bill to amend the age restrictions for pilots.

S. 183
At the request of Mr. GRASSLEY, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 183, a bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes.

S. 186
At the request of Mr. NELSON of Florida, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 186, a bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes.

S. 438
At the request of Mr. ENSIGN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 438, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 512
At the request of Mr. SANTORUM, the name of the Senator from Rhode Island (Mr. CHAFER) was added as a cosponsor of S. 512, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 521
At the request of Mrs. HUTCHISON, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 521, a bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish, promote, and support a comprehensive prevention, research, and medical management referral program for hepatitis C virus infection.

S. 523
At the request of Mr. SALAZAR, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 523, a bill to amend title 10, United States Code, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation, and for other purposes.

S. 539
At the request of Mr. MARTINEZ, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 539, a bill to amend title 28, United States Code, to provide the protections of habeas corpus for certain incapacitated individuals whose life is in jeopardy, and for other purposes.

S. 544
At the request of Mr. JEFFORDS, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 544, a bill to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely affect patient safety.

S. 619
At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 619, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. CON. RES. 17
At the request of Mr. BIDEN, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. Con. Res. 17, a concurrent resolution calling on the North Atlantic Treaty Organization to assess the potential effectiveness of and requirements for a NATO-enforced no-fly zone in the Darfur region of Sudan.

S. CON. RES. 40
At the request of Ms. LANDRIEU, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 143 proposed to S. Con. Res. 18, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

AMENDMENT NO. 143
At the request of Mr. BINGAMAN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 143 proposed to S. Con. Res. 18, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CONRAD (for himself and Mr. KYL)
S. 621. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for the depreciation of certain leasehold improvements; to the Committee on Finance.

Mr. CONRAD. Mr. President, I rise today to introduce legislation to make permanent the 15-year depreciation period for leasehold improvements that was enacted on a temporary basis as part of the American Jobs Creation Act of 2004. I am pleased to be joined in this effort by my Finance Committee colleague, Senator KYL.

Leasehold improvements are the alterations to leased space made by a building owner as part of the lease agreement with a business that will be used in commercial use, leasehold improvements typically last as long as the lease—on average of less than 10 years.
follows:

Week.

marks the first national voluntarily furnished confidential in-

Security Act of 2002 (Public Law 107

is amended by striking

prove-ments to be depreciated over 39

years—the life of the building itself.

Economically, this made no sense. The owner received taxable income over

years, but could only recover the costs of the improve-

ments associated with that lease over 39 years. This mismatch of income and

expenses was alleviated somewhat by our action last year in reducing the re-

covery period to 15 years.

A shorter recovery period more close-

ly aligns the expenses incurred to con-

struct improvements with the income

they generate over the term of the lease. By reducing the cost recovery period, the expense of making these improvements has fallen more into line with the economics of a commercial lease transaction. One of the most im-

portant goals of this change is to en-

courage building owners to adapt their

buildings to fit the needs of today’s business tenant.

It is good for the economy to keep ex-

isting buildings commercially viable. When older buildings can serve tenants

who need modern, efficient commercial space, there is less pressure for devel-

oping greenfields in outlying areas. Americans are concerned about pre-

serving open space, natural resources, and a sense of neighborhood.

Unfortunately, the recovery period reduction enacted last year is effective

only through the end of 2005. If Con-

gress fails to act before the end of this

year, the recovery period for leasehold

improvements placed in service begin-

ning in 2006 would again be 39 years.

I urge all Senators to join us in sup-

porting this legislation to provide ra-

tional depreciation treatment for leasehold improvements for the long

term.

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

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

S. 321

Be it enacted by the Senate and House of Repre-

sentatives of the United States of America in Congress assembled.

SECTION 1. PERMANENT EXTENSION OF 15-YEAR

RECOVERY PERIOD FOR DEPRECI-

ATION OF CERTAIN LEASEHOLD IM-

PROVEMENTS.

Section 168(e)(3)(E)(iv) of the Internal Rev-

enue Code of 1986 (defining 15-year property) is amended by striking “before January 1, 2006”.

By Mr. LEAHY (for himself, Mr. LEVINE, Mr. FEINGOLD, and Mr.

CLEMENS), the report.

S. 622. A bill to amend the Homeland Security Act of 2002 (Public Law 107–
296) to provide for the protection of voluntarily furnished confidential in-

formation, and for other purposes; to the Committee on the Judiciary, yet could

Mr. LEAHY. Mr. President, this week marks the first national “Sunshine Week.” The centerpiece of this week is Freedom of Information Day, which
The law also 1. shields the companies from lawsuits to compel disclosure, 2. criminalizes otherwise legitimate whistleblower activity by DHS employees, and 3. preempts any state or local disclosure laws.

Finally, the HSA requires no reporting whatsoever to the Congress or the public on critical infrastructure submissions to DHS. As a result, it is nearly impossible for the public to learn whether this law is being followed in good faith, whether it is being manipulated by submitters, and whether DHS is conducting due diligence on submissions. It also places hurdles before those of us in Congress who believe in effective oversight.

In an effort to obtain some basic data on the treatment of "critical infrastructure information" at DHS, two organizations filed a FOIA request in 2004. OMB Watch and the Electronic Privacy Information Center sought public release of the number of submissions and rejections under the law, and of any communications between DHS and submitters. They also requested the Department's program procedures for handling information. DHS did not provide any of the requested information, excepting a complaint, and the D.C. District Court ordered DHS to respond. We learned that as of February 2005, the critical infrastructure program received 29 submissions and rejected seven of those. We know nothing of the substance of the 29 submitted submissions, what vulnerabilities they may describe, or what is being done to address them.

Most businesses are good citizens and take seriously their obligations to the government and the public, but this "disclose-and-immunize" provision is subject to abuse by those businesses that want to exploit legal technicalities to avoid regulatory guidelines that are designed to protect the public's health and safety. The HSA lays down a blueprint to avoid legal liability: funnel damaging information into this voluntary disclosure system and preempt the government or others harmed by the company's actions from being able to use it against the company. This is not the kind of two-way public-private cooperation that serves the public interest.

The HSA FOIA exemption goes so far in exempting such a large amount of material from FOIA's disclosure requirement that it undermines government openness without making any real gains in safety for families in Vermont and across America. We do not keep America safe by chilling federal officials from warning the public about threats to their health and safety. We do not ensure our nation's security by refusing to tell the American people whether or not their federal agencies are doing their jobs, or whether their government is spending their hard-earned tax dollars wisely. We do not encourage real cooperation by forcing companies protection from civil liability when they break the law. We do not respect the spirit of our democracy when we cloak in secrecy the workings of our government from the public we are elected to serve.

The Restore FOIA bill I introduce today with Senators Levin, Feingold and Lieberman is identical to language I negotiated with Senator Levin and Bennett in the summer of 2002 when the HSA charter was debated by the Governmental Affairs Committee. Senator Bennett stated in the Committee's July 25, 2002, markup that the Amendment he reported did not require the compromise language would make it possible for them to share information with the government without fear of the government using that information against them. He also said that industry groups had reported to him that the compromise language would make it possible for them to share information with the government without fear of the compromise language would make it possible for them to share information with the government without fear of the government using that information against them. He also said that industry groups had reported to him that the compromise language would make it possible for them to share information with the government without fear of the government using that information against them.

Unfortunately, much more restrictive House-passed Senate FOIA bill is eventually signed into law.

The Restore FOIA bill would correct the problems in the HSA in several ways. First, it limits the FOIA exemption to relevant records submitted by the private sector, and allows only those that actually pertain to critical infrastructure safety are protected. "Records" is the standard category referred to in FOIA. This corrects the ineffective free passing to regulated industries by the HSA for any information it labels "critical infrastructure." Second, unlike the HSA, the Restore FOIA bill allows for government oversight, including the ability to use and share the records within and between agencies. It does not limit the use of such information by the government, except to prohibit public disclosure where such information is appropriately exempted under FOIA.

Third, it protects the actions of legitimate whistleblowers rather than criminalizing their acts. Fourth, it does not provide civil immunity to companies that voluntarily submit information that corrects a flaw in the current law, which would prohibit such information from being used directly in civil suits by government or private parties.

Fifth, unlike the HSA, the Restore FOIA bill allows local authorities to apply their own sunshine laws. The Restore FOIA bill does not preempt any state or local disclosure laws forinformation obtained outside the Department of Homeland Security. It also does not restrict the use of such information by state agencies.

Finally, the Restore FOIA bill does not restrict congressional use or disclosure of voluntarily submitted critical infrastructure information. These changes to the HSA would accomplish the stated goals of the critical infrastructure provisions in the HSA—without taking the hands of the government in its efforts to protect Americans and without cutting the public out of the loop.

Restore FOIA is supported by the American Library Association, Commonwealth Cause, the Freedom of Information Center, OMB Watch, Association of Research Libraries, the Project on Government Oversight, and OpenTheGovernment.org, among other leading open government organizations.

The argument over the scope of the FOIA and unilateral Executive power to shield matters from public scrutiny goes to the heart of our fundamental right to be an educated electorate aware of what our government is doing. The Rutland Herald got it right in a November 26, 2002, editorial that explained: "The battle was not over the right of the government to hold sensitive, classified information secret. The government has that right. Rather, the battle was over whether the government would be required to release anything it sought to withhold." We need to fix this troubling restriction on public accountability. James Madison's warning is a clear warning that it is our generation's duty to heed. I urge my colleagues to support the Restoration of Freedom of Information Act of 2005.

I ask unanimous consent that the text of the bill and a sectional analysis be printed in the Record.

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

S. 622

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

SECTION 1. SHORT TITLE. This Act may be cited as the "Restoration of Freedom of Information Act of 2005."

SEC. 2. PROTECTION OF VOLUNTARILY FUR- NISHED CONFIDENTIAL INFORMATION.


"Subtitle B—Protection of Voluntarily Furnished Confidential Information"

"SEC. 211. PROTECTION OF VOLUNTARILY FURNISHED CONFIDENTIAL INFORMATION.

(a) DEFINITIONS.—In this section:

(1) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' has the meaning given that term in section 102(d)(11) of the USA PATRIOT ACT of 2001 (42 U.S.C. 5195c(e)).

(b) I N GENERAL.—Notwithstanding any other provision of law, the term 'furnished voluntarily' means a submission of a record that—

(i) is made to the Department in the absence of authority of the Department requiring that record to be submitted; and

(ii) is not submitted or used to satisfy any legal requirement or obligation or to obtain any grant, permit, benefit (such as agency forbearance, loan or modifications of agency penalties or rulings), or other approval from the Government.

(c) BENEFIT.—In this paragraph, the term 'benefit' does not include any warning, alert, or other risk analysis by the Department.

(d) IN GENERAL.—Notwithstanding any other provision of law, the record pertaining to the vulnerability of and threats to critical infrastructure (such as attacks, response, and recovery efforts) that is furnished voluntarily to the Department by the State or local government shall be made available under section 552 of title 5, United States Code, if—
“(1) the provider would not customarily make the record available to the public; and
“(2) the record is designated and certified by the provider, in a manner specified by the Department, as confidential and not customarily made available to the public.
“(c) RECORDS SHARED WITH OTHER AGENCIES.—
“(1) IN GENERAL.—
“(A) RESPONSE TO REQUEST.—An agency in receipt of a record that was furnished voluntarily to the Department and subsequently shared with the agency shall, upon receipt of a request under section 522 of title 5, United States Code, for the record—
“(i) make the record available; and
“(ii) refer the request to the Department for processing and response in accordance with this section.
“(B) SEGREGABLE PORTION OF RECORD.—Any reasonably segregable portion of a record shall be provided to the person requesting the record after deletion of any portion which is exempt under this section.
“(2) DISCLOSURE OF INDEPENDENTLY FURNISHED RECORDS.—Notwithstanding paragraph (1), nothing in this section shall prohibit the making available under section 522 of title 5, United States Code, any record that the agency receives independently of the Department, regardless of whether the Department has a similar or identical record.
“(d) WITHDRAWAL OF CONFIDENTIAL DESIGNATION.—The provider of a record that is furnished voluntarily to the Department under subsection (b) may at any time withdraw, in a manner specified by the Department, the confidential designation.
“(e) PROCEDURES.—The Department shall prescribe procedures for—
“(1) the acknowledgment of receipt of records furnished voluntarily;
“(2) the designation, certification, and marking of records furnished voluntarily as confidential and not customarily made available to the public;
“(3) the care and storage of records furnished voluntarily;
“(4) the protection and maintenance of the confidentiality of records furnished voluntarily; and
“(5) the withdrawal of the confidential designation of records under subsection (d).
“(f) FEDERAL AND LOCAL LAW.—Nothing in this section shall be construed as preempting or otherwise modifying State or local law concerning the disclosure of any information that a State or local government receives independently of the Department.
“(g) REPORT.—
“(1) REQUIREMENT.—Not later than 18 months after the date of the enactment of the Homeland Security Act of 2005, the Comptroller General of the United States shall submit to the committees of Congress specified in paragraph (2) a report on the implementation and use of this section, including—
“(A) the number of persons in the private sector, and the number of State and local agencies, that furnished voluntarily records to the Department under this section;
“(B) the number of requests for access to records granted or denied under this section; and
“(C) such recommendations as the Comptroller General considers appropriate regarding improvements in the collection and analysis of sensitive information held by persons in the private sector, or by State and local agencies, with respect to vulnerabilities of and threats to critical infrastructure, including the response to such vulnerabilities and threats.
“(2) COMMITTEES OF CONGRESS.—The committees of Congress specified in this paragraph are—
“(A) the Committees on the Judiciary and Homeland Security and Governmental Affairs of the Senate; and
“(B) the Committees on the Judiciary and Governmental Affairs and Oversight of the House of Representatives.
“(h) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.

SEC. 3. TECHNICAL AND CONFORMING AMENDMENT.

The table of contents for the Homeland Security Act of 2002 (Public Law 107–296) is amended by striking the matter relating to subtitle B of title II and inserting the following:

SEC. 211. Protection of Voluntarily Furnished Confidential Information

The RESTORATION of FREEDOM of INFORMATION ACT ("RESTORE FOIA") - SECTIONAL ANALYSIS

Sec. 1. Short title. This section gives the bill the short title, the "Restroration of Freedom of Information Act.

Sec. 2. Protection of Voluntarily Furnished Confidential Information. This section strikes subtitle B (secs. 211–215) of the Homeland Security Act ("HSA") (P.L. 107–296) and inserts a new section 211.

Sections to be repealed from the HSA: These sections contain an exemption to the Freedom of Information Act (FOIA) that (1) exempt from disclosure critical infrastructure information voluntarily submitted to the new department that was designated as confidential by the submitter unless the submitter gave prior written consent; (2) provide civil immunity for use of such information in civil actions against the company; (3) preempt state sunshine laws if the designated information is shared with state or local government agencies; and (4) impose criminal penalties of up to one year imprisonment on government employees who disclosed the designated information.

Provisions that would replace the repealed sections of the HSA: The Restore FOIA bill inserts a new section 211 to the HSA that would exempt from the FOIA certain records pertaining to critical infrastructure threats and vulnerabilities that are furnished voluntarily to the new Department and designated by the provider as confidential and not customarily made available to the public. Notably, the Restore FOIA bill makes clear that the exemption covers "records" from the private sector, not "information" provided by the private sector, as in the enacted version of the HSA. The Restore FOIA bill ensures that portions of records that are not covered by the exemption would be released pursuant to FOIA requests. It does not provide any civil liability for those who submit or provide state or local sunshine laws, and it does not criminalize whistleblower activity.

Specifically, this section of the Restore FOIA bill includes the following:

A definition of "critical infrastructure": This term is given the meaning adopted in section 1019(c) of the USA Patriot Act (42 U.S.C. 15195c(e)) which reads, "critical infra-structure means systems and assets, whether physical or virtual, so vital to United States that the incapacity or destruction of such systems and assets would have a debilitating impact on the nation’s economy, security, national public health or safety, or any combination of those matters. This definition is commonly understood to mean facilities such as dams, chemical plants, nuclear power plants, or computer networks.

A definition of the term "furnished voluntarily": This term signifies documents provided to the Department of Homeland Security (DHS) that are not formally required by the department and that are provided to it to satisfy any legal requirement. The definition excludes any other information provided to DHS with a grant or permit application or to obtain any other benefit from DHS, such as a loan, agency forbearance, or modification of a penalty.

An exemption from FOIA of records that pertain to vulnerabilities of and threats to critical infrastructure that are furnished voluntarily to DHS. This exemption is made available where the provider of the record certifies that the information is confidential and would not customarily be released to the public.

A requirement that other government agencies that have obtained such records shall make them available to DHS to prevent the destruction of such critical infrastructure records.

An allowance to agencies to obtain critical infrastructure records from a source other than DHS to release them to the public.

An exemption from FOIA of records that pertain to vulnerabilities of and threats to critical infrastructure that are furnished voluntarily to DHS, thereby making the records subject to disclosure under FOIA.

A direction to the Secretary of Homeland Security to establish procedures to receive, designate, store, and protect the confidentiality of records voluntarily submitted and certified as critical infrastructure records.

A clarification that the bill would not prevent state or local information disclosure laws.

A requirement for the Comptroller General to report to the House and Senate Judiciary Committees, the House Governmental Reform Committee and the Senate Homeland Security and Governmental Affairs Committee the number of private entities and government agencies that submit records to DHS under the terms of the bill. The report would also include the number of requests for access to records that were granted or denied, and finally, the Comptroller General would make recommendations to the committees for modifications or improvements to the collection and analysis of critical infrastructural information.

Sec. 3. Technical and conforming amendment. This section amends the table of contents of the Homeland Security Act.

By Mr. HATCH: S. 623. A bill to direct the Secretary of Interior to convey land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, and for other purposes; to the Committee on Indian Affairs.

Mr. HATCH. Mr. President, I rise today to introduce the Paiute Indian Tribe Land Conveyance Act of 2005.
This bill would authorize the Secretary of the Interior to convey or transfer four small Paiute trust land parcels to the city of Richfield.

The Paiute Indian Tribe Land Conveyance Act of 2005 would allow the Secretary of the Interior to transfer three acres of land held in trust for the Paiute Indian Tribe of Utah to the city of Richfield, UT. The city of Richfield would provide fair market value compensation directly to the tribe, and pay any costs incurred in this transaction.

This land transfer would allow expansion of the Richfield Municipal Airport and provide the Tribe with proceeds to purchase land that has economic development potential. This bill passed the House last year and I introduced it in the Senate, but the Senate bill did not make it through the legislative process prior to the end of the 108th Congress.

This proposal has support from all sides. The city of Richfield approached the Tribe regarding this parcel of land adjacent to the airport runway. The Tribe agreed and the Paiute Tribal Council passed Resolution 01-56, unanimously agreeing to the conveyance of this parcel of land to the City. The land in question has not been used by the Tribe for the past 20 years and is not contiguous to the Paiute’s Reservation and for nearly 30 years now has had no economic development potential. The tribal resolution expresses the Paiute’s desire to accept the city’s offer to purchase the land at fair market value and serves as the request to the Secretary of the Interior to convey the trust land. However, only an act of Congress may authorize this land conveyance.

The Paiute Indian Tribe Land Conveyance Act of 2005 would also transfer three trust land parcels, each an acre or less in size, from the Tribe to its Kanosh and Shivwits Bands. All parcels would remain in trust status.

The land in question has not been used by the Band of residents of southwestern Utah for nearly 30 years. The land was mistakenly placed in trust for the Kanosh Band Community Center. The city of Richfield approached the Tribe about acquiring this parcel of land to the City. The City of Richfield Council passed Resolution 01-36, unanimously agreeing to the conveyance of this parcel of land adjacent to the airport runway. The Tribe agreed and the Paiute Tribal Council passed Resolution 01-56, unanimously agreeing to the conveyance of this parcel of land to the City. The land in question has not been used by the Tribe for the past 20 years and is not contiguous to the Paiute’s Reservation and for nearly 30 years now has had no economic development potential. The tribal resolution expresses the Paiute’s desire to accept the city’s offer to purchase the land at fair market value and serves as the request to the Secretary of the Interior to convey the trust land. However, only an act of Congress may authorize this land conveyance.

This bill would authorize the Secretary of the Interior to convey or transfer three acres of land held in trust for the Shivwits Band, and its sole use has been for the Shivwits Band Community Center. Finally, the bill would eliminate the word “City” from the current official name of the “Cedar City Band of Paiute Indians” a name that has never been used by the Band of residents of southwestern Utah. Thus, the bill makes clear that any reference in a law, map, regulation, document, paper, or other record, of the United States to the “Cedar City Band of Paiute Indians” shall be in reference to the “Cedar Band of Paiute Indians.”

I would like to make some clarifications as part of the record. This bill has language that would allow the city of Richfield to purchase land from the Tribe and provide payment directly to the Tribe without the funds being funneled through the Department of the Interior. I support that provision. The bill also has a provision that would make lands which were acquired by the United States in trust for the Tribe, after February 17, 1984 and prior to the date of the enactment of this legislation, part of the reservation. This clarifies the intent that lands already in possession of the tribe should be part of the reservation. I would also like to clarify that nothing in this legislation authorizes the Secretary of the Interior to make land conveyances for any tribe or band without their official consent to such a conveyance.

This bill means nothing, but it will solve the dilemma that the city of Richfield faces as it works to make its airport meet the needs of the citizens of southwestern Utah. Equally important is the fact that this bill will allow the Paiute Tribe to use the proceeds from the land sale to acquire land with economic development potential to facilitate the well-being of the Tribe. The bill also takes care of non-controversial land adjustments and technical corrections.

This bill is a win-win for the Tribe, its Bands, and the people of southwestern Utah residing nearby. That is why I am introducing this legislation that would convey or transfer small Paiute trust land parcels.

I thank the Senate for the opportunity to address this issue today, and I urge my colleagues to support the passage of the Paiute Indian Tribe Land Conveyance Act of 2005.

By Mr. SCHUMER:

S. 625. A bill to amend the Internal Revenue Code of 1986 to allow a $1,000 refundable credit for individuals who are bona fide volunteer members of volunteer firefighting and emergency medical service organizations; to the Committee on Finance.

Mr. SCHUMER. Mr. President, I am pleased to come to the floor today and introduce legislation that would allow a $1,000 refundable tax credit for the true heroes in our society; those brave and dedicated Americans who serve as volunteer firefighters and volunteer emergency medical service personnel.
our homeland security. Moreover, every single day we rely on volunteer firefighters to save residential and commercial property, and to clean up accidents and reopen our highways, all of which protects the economic prosperity of many of our communities.

Let me give you some examples from my State of how difficult the problems of recruitment and retention have become.

In Duchess County, former fire chief Harold Ramsey is a current member of the volunteer corps. His company is 100 percent volunteer, with about 30 to 35 current members. When Mr. Ramsey joined the department in the mid 1980s, there were 60 to 75 members. They have significantly suffered a loss of members in the past five years. He believes that a tax credit would be a major incentive to younger members and would help to recruit new members.

In Orange County, Jeff Hunt is the President of Dietex, Engine and Hose Company in Goshen. His company currently has 55 active members. They are getting a new member next month, which will be their first new member in five years. In an effort to improve their numbers, they have been visiting area schools with little to no success. The company has also looked into working with the Boy Scouts of America to increase enrollment. Membership is a major concern; during the day shift Mr. Hunt says he is lucky to get four or five members to respond to calls. That is not even enough to get all of the trucks and equipment out. He believes that the $1,000 tax credit would be a “great start in the right direction” to attract new members.

In Westchester County, in the town of Lewisboro, Joe Posadas is the Chief of the South Salem Fire Department. His department also has severe recruitment and retention issues. In next six months, he expects to lose three of his top members. When members of the company are moving out of Westchester because they can no longer afford to live there—an ongoing problem.

The company has approximately 35 members on paper, but for daytime calls, only four members are typically able to respond. For night calls, 10 to 15 can respond. The property tax deduction approved by the state is so small that it provides little benefit or incentive for recruitment, so Mr. Posadas believes that the $1,000 federal tax credit would help. “Anything we get helps attract new members,” he said.

Steve Mann is a member of my staff and a 17-year veteran of a volunteer firefighter squad. He is Captain of Engine 4 in Rensselaer, NY. His father and uncle are firefighters as well, and I guess you’d say it’s “in his blood.” He devotes most of his spare time to the fire department—but with a young family and a demanding job, it’s not always easy. He tells me that it is becoming harder and harder to find people who are willing to dedicate the necessary time to the fire department. These are just a few examples.

Therefore, I believe it is appropriate for the federal government to take an active role in fixing this problem. This tax credit would give municipalities and fire departments an important tool in attracting new volunteers, and just as important, in retaining current volunteers. Firefighters are just as important to this country today as they were in Benjamin Franklin’s day, and we must do all that we can to preserve this legacy of service.

By Mr. NELSON of Nebraska (for himself and Mrs. HUTCHISON): S. 626. A bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certified diabetes educators who are recognized by a nationally recognized certifying body and who meet the same quality standards set forth for other providers of diabetes self-management training, as certified providers for purposes of outpatient diabetes self-management training services under part B of the medicare program; to the Committee on Finance.

Mr. NELSON of Nebraska. Mr. President, today I introduce an important bill that would correct an oversight from the Balanced Budget Act of 1997.

In 1997, Congress created a new diabetes benefit under medicare—diabetes self-management training—but did not create a provider group to deliver the training. Congress assumed that the existing diabetes education programs in hospitals would be able to provide services to all who were in need.

Certified Diabetes Educators (CDEs) were not given the ability to bill Medicare directly for diabetes self-management training when Congress passed the new benefit in 1997 because they did not feel there was a need to create a new provider because CDEs could work within existing报 and receive reimbursement through hospital billing.

However, due to changing health care economics, hospital diabetes self-management training programs have been closing at an alarming rate, forcing patients to seek other avenues for obtaining diabetes self-management training such as clinics and stand-alone programs.

While small in scope, the Diabetes Self-Management Training Act of 2005 will correct this oversight to ensure our Nation’s seniors with diabetes have access to this important benefit.

Diabetes education is very important in my State of Nebraska. According to the Nebraska Health and Human Services System, about five percent of Nebraska’s adults have diagnosed diabetes—or about 60,000 people. An additional 20,000 Nebraskans probably have diabetes but have not been diagnosed.

While diabetes rates continue to grow at an alarming rate, lack of access to diabetes-self-management training, which is critical to controlling diabetes and preventing secondary complications, has also become a chronic problem. Despite the fact that twenty percent of Medicare patients have diabetes, and about a quarter of all Medicare spending goes to treat diabetes and diabetes-related conditions, less than one-third of eligible patients are receiving the training.

Because CDEs are not able to bill Medicare directly for diabetes self-management training, patients have limited options for obtaining the training they need to successfully manage their disease and prevent expensive and debilitating complications.

The potential for complications is enormous. If patients with diabetes cannot gain access to diabetes self-management training, serious complications will arise, such as kidney disease, amputations, vision loss, and severe cardiac disease. In fact, half of all Medicare dialysis patients suffer from diabetes.

By improving access to this important benefit, I believe we will take an important step toward helping patients control their diabetes, which will not only save the Medicare program the significant costs associated with the complications from uncontrolled diabetes, but most importantly it will dramatically improve the quality of life for the millions of Medicare beneficiaries with diabetes.

That is why I am so proud to introduce this bi-partisan legislation, the Diabetes Self-Management Training Act of 2005, along with my colleague Senator HUTCHISON.

Throughout the Medicare debate in 2003, one of the top considerations for all Senators was the cost of the legislation and the long-term solvency of the Medicare program. In fact, we passed new programs in that legislation to begin studying new health care delivery models that will improve the outcomes for beneficiaries with chronic diseases like Medicare. While I strongly supported those new demonstration programs, we need not wait to begin helping our seniors.

With diabetes already directly affecting so many seniors, and the baby boomers on the horizon, we cannot afford to deny seniors access to proven programs like diabetes self-management training anymore. I look forward to working to pass this legislation and help those with diabetes.

By Mr. HATCH (for himself, Mr. BAUCUS, Mr. GRASSLEY, Mr. KYL, Mr. SMITH, Mr. SCHUMER, and Mr. KERRY): S. 627. A bill to amend the Internal Revenue Code of 1986 to extend the research credit, to increase the rates of the alternative incremental credit, and to provide an alternative simplified credit for qualified research expenses; to the Committee on Finance.

Mr. HATCH. Mr. President, I am very pleased to join with my friend and colleague Senator BAUCUS and several of our Finance Committee colleagues
from both sides of the aisle today in introducing legislation that would permanently extend and improve the research tax credit.

Extending the research credit is an important step for the future economic growth of the United States. A permanent credit can help our economy develop the new technologies that will enhance existing capital inputs and make workers more productive. The result will be a stronger economy at home, and a more competitive nation abroad. If we ignore the evidence, the current research credit is set to expire on December 31, 2005.

I believe that if we allow the research credit to expire, we will see the negative effects manifest in lower economic growth, fewer jobs created, fewer innovative products, and lost opportunities as research activities move to other countries with more attractive incentives. We should never forget that our Nation's future economic health is dependent on the innovations of today.

In assessing the health of our economy, we find an important correlation between economic growth and inflationary pressures. One sure way to have strong economic growth without the price increase that comes with it is to increase productivity. And most productivity gains are derived from technological advances, which reduce the cost of producing goods and services, and thereby help maintain low consumer prices.

An additional benefit of productivity growth is a corresponding increase in corporate profits. Such increases lead to higher returns on savings and investments, and higher wages for workers. I believe the greatest benefit of increased R&D is productivity growth, which in turn forms the foundation of higher living standards.

Productivity growth also largely determines our society's long-term economic welfare. Our ability to deal with budgetary pressures, such as Social Security, Medicare, and other entitlements, depends critically on the future direction of our productivity.

From 1995 through 2003, average annual productivity growth was three percent, double the 1.5 percent growth rate that prevailed between 1973 and 1995. According to economists, this surge in productivity is the result of businesses beginning to efficiently integrate computer and information technology into their day-to-day operations. We need a strong and permanent research credit in order to continue these gains in productivity growth.

My home State of Utah is a good example of how State economies currently benefit from the research credit. Utah is home to various firms that invest a high percentage of their revenue in R&D. There are thousands of employees working in Utah's technology-based companies, with thousands more working in other sectors that engage in R&D. Moreover, high technology jobs pay substantially more than the Utah average. In 2004, high technology payrolls accounted for 9.2 percent of Utah's total payrolls. This is a significant proportion concerning technology jobs make up only 5 percent of the workforce.

Utah's largest technology segment is in computer systems design, which accounts for more than 20 percent of the State's technology employment with approximately 10,700 workers. Furthermore, this sector is Utah's second highest exporter of merchandise. This is a prime example of an industry group contributing directly to the productivity expansion I mentioned earlier.

The medical equipment manufacturing industry makes up another substantial R&D industry group employing nearly 8,000 Utahs. This industry has been an important and relatively stable component of the technology sector for many years.

Utah pays and also imparts many "spill-over" benefits from the innovations developed both within and outside of the state. To give one example, more than 7,000 people work in Utah's chemical industry. This industry industry is the largest in the United States. It benefits greatly from R&D taking place in Utah and throughout the country, and it shares the benefits with its trade partners. Research and development is clearly the lifeblood of Utah's economy.

Since 1981, when the research credit was first enacted, the Federal Government has joined in partnership with large and small businesses to ensure that research expenditures are made in the United States. This enhances domestic job creation, and helps the United States to internalize more of the economic benefits from the research credit.

It seems clear that to grow our economy we must enhance our position as the world leader in technological advances. Consequently, robust R&D spending should permeate our economy. We simply must continue to invest in research and development, and the Federal Government needs to reaffirm its role as a partner with the private sector. To achieve this, I have long advocated a permanent credit, and this body is overwhelmingly on record in favor of that proposition. During the last Congress, I offered, and the Senate adopted, an amendment to provide for such a permanent credit. Unfortunately, that provision was dropped in conference and we lost a great opportunity.

Once again, I want to ask my colleagues to make this credit permanent. I think we all know that this credit is going to be extended, again and again, every few years. It takes time and energy for my colleagues to revisit this issue every few years. Can we not just, once and for all, make this provision permanent? We know this is good policy, and it is one of the most effective tax incentives in the code. Even under today's permanently temporary credit, every dollar of tax credit is estimated to increase R&D spending by one dollar in the short run and by up to two dollars in the long run. And if we make this permanent, these incentives will occur forever.

While the research credit has proven to be a powerful incentive for companies to increase research and development activities, it unfortunately does not work perfectly. One reason is that the credit is incremental, and was designed to reward additional research efforts, not just what a company might have done otherwise. From a tax policy perspective, I believe this is the best way to provide an incentive tax credit. No credit at all. This is why this credit is so effective—it gives benefits to companies that do more, and gives no benefits to companies that do less. That is good tax policy, and good growth policy.

The United States needs to continue to be the world's leader in innovation. We cannot afford to allow other countries to lure away the research that has always been done here. We cannot afford to have the last research pipeline that would result if we do not take care of extending this credit before it expires on December 31.

In conclusion, making the research tax credit permanent will increase the growth rate of our economy. It will mean more and better jobs for American workers. Making the tax credit permanent will speed economic growth. And new technology resulting from American research and development will continue to improve the standard of living for every person in the U.S. and around the world. I look forward to working with my colleagues to create a permanent, improved research credit.

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

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.  
This Act may be cited as the “Investment in America Act of 2005”.

SEC. 2. FINDINGS.  
Congress finds the following:  
(1) Research and development performed in the United States results in quality jobs, better and safer products, increased ownership of technology-based intellectual property, and higher productivity in the United States.  
(2) The extent to which companies perform and finance research and development activities in the United States is in part dependent on Federal tax policy.  
(3) Congress should make permanent a research and development credit that provides a meaningful incentive to all types of taxpayers.

SEC. 3. PERMANENT EXTENSION OF RESEARCH CREDIT.  
(a) IN GENERAL.—Section 41 of the Internal Revenue Code of 1986 (relating to credit for increasing research activities) is amended by striking subparagraph (D).  
(b) CONFORMING AMENDMENT.—Paragraph (1) of section 45(c)(b) of such Code is amended by striking subparagraph (D).  
(c) Effective Date.—The amendments made by this section shall apply to amounts paid or incurred after the date of the enactment of this Act.

SEC. 4. INCREASE IN RATES OF ALTERNATIVE INCREMENAL CREDIT.  
(a) IN GENERAL.—Subparagraph (A) of section 41(c)(4) of the Internal Revenue Code of 1986 (relating to election of alternative incremental credit) is amended by—  
(i) by striking subsection (b).  
(ii) by inserting—  
“(6) and (7), respectively, and by inserting” after paragraph (4).  
(b) CONFORMING AMENDMENT.—Paragraph (1) of section 45(c)(b) of such Code is amended by redescribing paragraphs (5) and (6) as paragraphs (6) and (7), respectively, and by inserting after paragraph (4) the following new paragraph:—  
“(5) ELECTION OF ALTERNATIVE SIMPLIFIED CREDIT.—  
“(A) IN GENERAL.—At the election of the taxpayer determined under subsection (a)(1) shall be equal to 12 percent of so much of the qualified research expenses for the taxable year as exceeds 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined.  
“(B) SPECIAL RULE IN CASE OF NO QUALIFIED RESEARCH EXPENSES IN ANY OF 3 PRECEDING TAXABLE YEARS.—  
“(i) TAXPAYERS TO WHICH SUBPARAGRAPH APPLIES.—The credit under this paragraph shall be determined under this subparagraph if the taxpayer has no qualified research expenses in any of the 3 preceding taxable years for which the credit is being determined.  
“(ii) CREDIT RATE.—The credit determined under this subparagraph shall be equal to 6 percent of the qualified research expenses for the taxable year.  
“(C) ELECTION.—An election under this paragraph shall apply to the taxable year for which made and all succeeding taxable years unless revoked with the consent of the Secretary. An election under this paragraph may not be made for any taxable year to which an election under paragraph (4) applies.”.

(c) Effective Date.—The amendment made by this section shall apply to the taxable year for which the credit is being determined.

SEC. 5. ALTERNATIVE SIMPLIFIED CREDIT FOR QUALIFIED RESEARCH EXPENSES.  
(a) IN GENERAL.—Subsection (c) of section 41 of the Internal Revenue Code of 1986 (relating to election of alternative incremental credit) is amended by—  
(i) by striking—  
“(5) ELECTION OF ALTERNATIVE SIMPLIFIED CREDIT.—  
“(A) IN GENERAL.—At the election of the taxpayer determined under subsection (a)(1) shall be equal to 12 percent of so much of the qualified research expenses for the taxable year as exceeds 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined.  
“(B) SPECIAL RULE IN CASE OF NO QUALIFIED RESEARCH EXPENSES IN ANY OF 3 PRECEDING TAXABLE YEARS.—  
“(i) TAXPAYERS TO WHICH SUBPARAGRAPH APPLIES.—The credit under this paragraph shall be determined under this subparagraph if the taxpayer has no qualified research expenses in any of the 3 preceding taxable years for which the credit is being determined.  
“(ii) CREDIT RATE.—The credit determined under this subparagraph shall be equal to 6 percent of the qualified research expenses for the taxable year.  
“(C) ELECTION.—An election under this paragraph shall apply to the taxable year for which made and all succeeding taxable years unless revoked with the consent of the Secretary. An election under this paragraph may not be made for any taxable year to which an election under paragraph (4) applies.”.

(b) Coordination With Election of Alternative Incremental Credit.—  
(1) IN GENERAL.—Section 41(c)(4)(B) of the Internal Revenue Code of 1986 (relating to election) is amended by adding at the end of the list of exempted paragraphs after the fourth paragraph thereunder this paragraph may not be made for any taxable year to which an election under paragraph (5) applies.  
(2) Transition Rule.—In the case of an election under section 41(c)(4) of the Internal Revenue Code of 1986 which applies to the taxable year in which the date of the enactment of this Act such election shall be treated as revoked with the consent of the Secretary of the Treasury if the taxpayer makes an election under section 41(c)(5) of such Code (as added by subsection (a)) for such year.

(c) Effective Date.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

Mr. BAUCUS. Mr. President, I am pleased to again join with my friend, Senator HATCH, in introducing legislation to make a permanent commitment to research-intensive businesses in the United States. This legislation is bipartisan and bicameral. A companion bill will be introduced in the House of Representatives by Congresswoman NANCY JOHNSON and Congressman BRIAN CARDIN.

Every morning we hear news of some new product or discovery that promises to make our jobs easier or our lives better. A fresh realization of the potential spillover benefits to society overall from additional research spending.

Research has shown that a tax credit is a cost-effective way to promote R&D. The Government Accountability Office, the Bureau of Labor Statistics, the National Bureau of Economic Research, and others have all found significant evidence that a tax credit stimulates additional domestic R&D spending by U.S. companies. A report by the Congressional Research Service, CRS, indicates that economists generally agree that, without government support, firm investment in R&D would fall short of the socially optimal amount and thus CRS advocates government policies to boost private sector R&D.

R&D is linked to broader economic and labor benefits. R&D lays the foundation for technological innovation, which, in turn, is an important driving force in long-term economic growth—mainly through its impact on the productivity of capital and labor. We have many times heard testimony from economists, including Federal Reserve Board Chairman Greenspan, that the reason our economy grew at such breakneck speed during the 1990s stemmed from the productivity growth we realized thanks to technological innovations.

There has been a belief that companies would continue to increase their research spending and that the benefits of these investments on the economy and labor markets would continue without end. Unfortunately, that is not the case. According to Battelle’s 2005 funding forecast, industrial R&D spending will increase only 1.9 percent above last year, to an estimated $191 billion, which is less than the expected rate of inflation of 2.5 percent. For the fifth year in a row, industrial R&D spending growth has been essentially flat.

Over recent years, industry-financed R&D declined from 1.88 percent to 1.65 percent of GDP in the United States between 2000 and 2003, while R&D performed by the business sector declined from 2.04 percent to 1.81 percent of GDP. Japan, in contrast, saw a steep increase in business-performed R&D—2.12 percent of GDP between 2000 and 2002—and modest gains were posted in the EU.

Moreover, just last week, the World Economic Forum released its annual Global Information Technology Report. The rankings, which measure the propensity for countries to exploit the opportunities offered by information and communications technology, ICT, revealed that Singapore has displaced the United States as the top economy in terms of technical competitiveness. As a matter of fact, the United States has dropped from first to fifth place in this ranking. Iceland, Finland and Denmark are the countries ranked two, three and four out of the 104 countries surveyed. Iceland moved up from tenth last year.

These numbers should be a wake up call for all of us. As research spending falls, so too will the level of future economic growth.

It is also important to recognize that many of our foreign competitors are offering permanent and generous incentives to firms that attract research dollars to those countries. A 2001 study by the Organization of Economic Cooperation and Development, OECD, ranked the U.S. ninth behind other nations in terms of its incentives for business R&D spending. Countries that provide more generous R&D incentives include Spain, Canada, Portugal, Australia, Netherlands, France, and Korea. The United Kingdom was added to this list in 2002 when it further expanded its existing R&D incentives program. The continued absence of a long-term U.S. government R&D policy that encourages U.S.-based R&D will undermine the ability of American companies to remain competitive in U.S. and foreign markets. This disparity could limit U.S. competitiveness relative to its trading partners in the long-run.

Also, U.S. workers who are engaged in R&D activities currently benefit from some of the most intellectually stimulating, high-paying, high-skilled...
jobs in the economy. My own State of Montana is an excellent example of this economic activity. During the 1990s, about 400 establishments provided high-technology services, at an average wage of about $35,000 per year. These jobs paid nearly 90 percent more than the state average for wages of less than $20,000 per year during the same year. Many of these jobs would never have been created without the assistance of the R&D credit. While there may not be an immediate rush to move the R&D spending offshore, there has been movement at the margins on those projects that are most cost-sensitive. Once those projects and jobs are gone, it will be many years before companies will have any incentive to bring them back to the United States.

We continue to grapple with the need to stimulate economic growth and advance policies that represent solid long-term investments that will reap benefits years to come. Senator HATCH and I repeatedly have highlighted this need. Senator HATCH and I repeatedly have pointed to the R&D tax credit as a measure that gives us a good “bang for our buck.” I hope this year we can enact a permanent tax credit that is effective and widely available. I encourage my colleagues to join us in this effort.

As we have in years past, our proposal would make the current research and experimentation tax credit permanent and increase the Alternative Incremental Research Credit, AIRC, rates. And, in this legislation we take one additional but necessary step.

We propose a new alternative simplified credit that will allow taxpayers to elect to calculate the R&D credit under new computational rules that will eliminate the present-law distortions caused by gross receipts. This revised and improved R&D credit did pass the Senate last year on a 93–0 vote, but a straightforward short-term extension of current law was enacted instead.

There is no good policy reason to make research more expensive for some industries than for others. While the regular R&D tax credit works very well for many companies, as the credit’s base period recedes and business cycles change, the current credit is out of reach for some other firms that still incur significant research expenditures. To help solve part of this problem and increase the AIRC, S. 628, and now we propose a way to address the rest of that problem.

Under current law, both the regular credit and the AIRC are calculated by reference to a taxpayer’s gross receipts, a benchmark that can produce inequities and anomalous results. For example, many taxpayers are no longer able to qualify for the regular credit, despite substantial R&D investments, because their R&D spending relative to gross receipts has not kept pace with the rate that existed in the 1984–88 base period, which governs calculation of the regular credit. This can happen, for example, simply where a company’s sales increase significantly in the intervening years, where a company enters into an additional line of business that generates additional gross receipts but involves little R&D, or where a company becomes more efficient in its R&D processes.

Our proposal would correct this by allowing taxpayers a straightforward alternative research credit election. Taxpayers could elect, in lieu of the regular credit or the AIRC, a credit that would equal 12 percent of the excess of the taxpayer’s qualified research expenditures, QREs, over 50 percent of the taxpayer’s average QREs for the 3 preceding years. Unlike the regular credit and the AIRC, this credit calculation does not involve gross receipts.

The R&D tax credit has proven it can be an effective incentive. We need to act to make it a permanent part of the tax code that U.S. businesses can rely on. The best thing we can do for our long-term economic growth is to stoke the engine of growth—technology, high-wage jobs and productivity. I look forward to working with Senator HATCH and all my colleagues on this important issue.

I urge my colleagues to support this important piece of legislation.

By Mr. LUGAR (for himself, Mr. BINGAMAN, Mr. DURBIN, and Mr. BUNNING):

S. 628. A bill to provide for increased planning and funding for health promotion programs of the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

Mr. LUGAR, Mr. President, I rise today to introduce the Health Promotion FIRST, Funding Integrated Research, Synthesis and Training, Act, legislation to provide the foundation for solid planning and a scientific base for health promotion.

Between one half and two-thirds of premature deaths in the United States and much of our health care costs are caused by just three risk factors: poor diet, physical inactivity, and tobacco. Recent news reports have highlighted the alarming increase in obesity across the Nation. In the last 10 years, obesity rates have increased by more than 60 percent among adults—with approximately 59 million adults considered obese today.

We also know that medical costs are directly related to lifestyle risk factors. The September 2000 issue of the American Journal of Health Promotion reported that approximately 25 percent of all employer medical costs are caused by lifestyle factors. Emerging research is showing the value may be closer to 50 percent today.

Medical care costs are reaching crisis levels. Some major employers are actively exploring discontinuing medical insurance for workers who are not controlled. The Federal Government has the same cost problems with its own employees, and the cost to Medicare of lifestyle-related diseases will only increase as Baby Boomers retire, and more and more beneficiaries are diagnosed with lifestyle-related illnesses.

An obvious first step to addressing our health and medical cost problems is to help people make healthier decisions.

The good news is that both the public and private sectors are starting to do more in the area of health prevention and health promotion. For instance, the Medicare Modernization Act of 2003 included several new prevention initiatives for Medicare beneficiaries. Also in recent years Congress and the Administration have worked together to pass numerous pieces of legislation to establish grants to provide health services for improved nutrition, increased physical activity, and obesity prevention.

However, despite the success of many health promotion programs, there is a quality gap between the best programs and typical programs. This occurs because most professionals are not aware of the best practice methods. Furthermore, in even the best programs reach a small percentage of the population and do poorly in creating lasting change.

The Health Promotion FIRST Act will build the foundation for a stable, coordinated strategy to revitalize the basic and applied sciences of health promotion, synthesize research results and disseminate findings to researchers, practitioners and policy makers.

The bill directs the Department of Health and Human Services to develop strategic plans focusing on the following: how to develop the basic and applied science of health promotion; how to best utilize the authority and resources of the Department of Health and Human Services and other Federal agencies to integrate health promotion concepts into health care and other elements of society; how to synthesize health promotion research into practical guidelines that can be easily disseminated and used; how to foster a strong health workforce for health promotion activities.

Additional funding is also provided for the Centers for Disease Control and Prevention, National Institutes of Health to augment current activities related to health promotion research and dissemination.

We have made a good start, at the Federal level, in addressing the needs of health promotion. However, we need to go further. I believe this legislation will serve as a good basis for Congress and the administration to take the next step in developing health promotion programs for the next decade.

Mr. DODD (for himself and Mr. LIEBERMAN):

S. 630. A bill to establish procedures for the acknowledgment of Indian tribes; to the Committee on Indian Affairs.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 631. A bill to provide grants to ensure full and fair participation in certain decisionmaking processes of the
Washington State has testified that

. . . processing the Duwamish petition

of the promise as a uniform approach to

create uncertainty about the basis for

hold the principles of fairness and

with the expectation that they will

contribute to the larger national con-

versation about how the Federal Gov-

ernment can best fulfill its obligations to America's native peoples, and up-

hold the principles of fairness and

openness in our laws.

The persistent problems that plague

the current tribal recognition process

have been well-documented and widely

acknowledged. The General Accounting

Office report concluded in November,

2001 that “weaknesses in the process

create uncertainty about the basis for

recognition decisions, and the amount

time it takes to make those deci-

sions.” It is clear that the ex-

isting prerogatives and privileges of

such tribes. Tribes would retain their

right to self-determination consistent

with their sovereign status. Finally,

and perhaps most importantly, the

TRIBE Act would not dictate outcomes

nor would it tie the hands of the BIA.

It would simply create a uniform rec-

ognition process that is equal and fair
to all.

My second bill would provide grants
to allow for tribes and municipalities an opportunity to participate fully in

important decision-making processes pertaining to recognition. Con-

sequently, these grants would enable

these communities to provide to the

BIA more relevant information and re-

sources from which to make a fair and

fully-informed decision on tribal rec-

ognition. When the Federal Govern-

ment, through the BIA, makes deci-

sions that will have an enormous im-

pact on a variety of communities—both

tribal and municipalities—we must be

sure that the Government should provide a meaningful opportunity for those communities to be heard.

I believe that every tribal organiza-
tion that is entitled to recognition ought to be recognized and ought to be

recognized in an appropriately speedy process. At the same time, we must

make sure that the BIA’s decisions are accurate and fair. Every recognition
decision carries with it a legal signifi-
cance that cannot be denied. Each

recognition decision made by the BIA

is a foundation upon which relations-

ships between tribes and States, tribes and municipalities, Indians and non-In-

dians will be built for generations to

come. We need to make sure that the

foundation upon which these lasting
decisions are built is sound and will

withstand the test of time. We cannot

afford to build relationships between

sovereigns on the shifting sands of a

broken bureaucratic procedure.

By Mr. KENNEDY (for himself,

MRS. MURRAY, MS. CANTWELL,

Mr. CORZINE, Mr. KERRY, Mr.

LIEBERMAN, Mr. SARBANES, Ms.

MIKULSKI, Mrs. BOXER, Mr. LAU-

TENBERG, Mr. LEVIN, Mr. DUR-

BIN, Mr. SCHUMER, Mrs. FEIN-

STEIN, Mr. HARKIN, and Mr.

DODD): S.J. Res. 7. A joint resolution pro-

posing an amendment to the Constitu-
tion of the United States relative to equal rights for men and women; to the

Committee on the Judiciary.

S2744

The TRIBE Act would improve the

recognition process in several ways.

First, it would authorize $10 million

per year to better enable the Bureau of

Indian Affairs to consider petitions in a

thorough, fair, and timely manner.

Currently, there is an enormous back-

log of tribal recognition petitions pending at the BIA. At current rates of

progress, it takes many years for a peti-
tion to be considered. It seems to me

that is an unacceptably long amount of

time. Indeed, I can think of no other

area of law where Americans must wait

as long to have their rights adjudged

and vindicated. The TRIBE Act

would provide for improved notice of a

petition to key parties who may have

an interest in a petition, including the

governor and attorney general of the

State where a tribe seeks recognition, other tribes, and elected leaders of mu-
nicipalities that are adjacent to the

land of a tribe seeking recognition.

Third, it would require that a peti-
tioner meets each of the seven manda-
tory criteria for tribal recognition spelled out in the current Code of Fed-

eral Regulations. Unfortunately, in a

number of highly controversial deci-
sions, it appears that these criteria

have not been applied in a uniform and

consistent fashion. Perversely, it would require that a decision on a petition be

published in the Federal Register, and

include a detailed explanation of the

findings of fact and of law with respect
to each of the seven mandatory criteria

for recognition.

I want to emphasize what this legis-
lation would not do. It would not re-

volve or in any way alter the status of

tribes whose petitions for Federal rec-

ognition have already been granted. It

would neither vitiate the ex-

isting prerogatives and privileges of

such tribes. Tribes would retain their

right to self-determination consistent

with their sovereign status. Finally,

and perhaps most importantly, the

TRIBE Act would not dictate outcomes

nor would it tie the hands of the BIA.

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decisions are built is sound and will

withstand the test of time. We cannot

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sovereigns on the shifting sands of a

broken bureaucratic procedure.

By Mr. KENNEDY (for himself,

MRS. MURRAY, MS. CANTWELL,

Mr. CORZINE, Mr. KERRY, Mr.

LIEBERMAN, Mr. SARBANES, Ms.

MIKULSKI, Mrs. BOXER, Mr. LAU-

TENBERG, Mr. LEVIN, Mr. DUR-

BIN, Mr. SCHUMER, Mrs. FEIN-

STEIN, Mr. HARKIN, and Mr.

DODD):

Women with college and professional degrees have achieved advances in a

number of professional and managerial occupations in recent years—yet more

than 60 percent of working women are still clustered in a narrow range of tra-
ditionally female, traditionally low-
paying occupations, and female-headed households continue to dominate the

bottom rungs of the economic ladder.

The routine discrimination that so

many women still face today makes clear that the Equal Rights Amend-
mint is needed now more than ever.

We know from the failed ratification

experiences of the past that including the ERA in the Constitution will not

be easy to achieve. But its extraordinary significance requires us to continue the battle. I urge my colleagues to approve the ERA in this Congress, and join the battle for ratification in the states. Women have waited too long for full recognition of their equal rights and potential.

I ask unanimous consent that the text of our joint resolution be printed in the RECORD. There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S. J. Res. 7

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article of the Board of Regents recently recommended the Board of Regents of the Smithsonian Institution to authorize 18th president.

Dr. Jackson is currently president of the American Association for the Advancement of Science (AAAS); director of a network of major corporations, including FedEx Corporation, AT&T Corporation, Marathon Oil Corporation, and Lowe's; member of the New York Stock Exchange's board of directors, the Council on Foreign Relations, the National Academy of Engineering, the National Advisory Board for Biomedical Imaging and Bioengineering of the National Institutes of Health (NIH), the U.S. Comptroller-General's Advisory Committee for the Government Accounting Office (GAO), the Executive Committee of the Council on Competitiveness, and the Council of the Government-University-Industry Research Roundtable; fellow of the American Academy of Arts and Sciences and the American Physical Society; Life Member of the M.I.T. Corporation (the M.I.T. Board of Trustees); and trustee of Georgetown University, Rockefeller University, Emma Willard School, and the Brookings Institution. Dr. Jackson was recently named one of seven 2004 Fellows of the Association for Women in Science (AWIS). She has received numerous other honors, such as the Golden Torch Award for Lifetime Achievement in Academia from the National Academy of Black Engineers, US Black Engineer & Information Technology magazine's "Black Engineer of the Year Award" (first female recipient), and the AAAS's "Unsung Hero of Science Award"; been inducted into the Women in Science (WIS). She has received numerous other honors, such as the Golden Torch Award for Lifetime Achievement in Academia from the National Academy of Black Engineers, US Black Engineer & Information Technology magazine's "Black Engineer of the Year Award" (first female recipient), and the AAAS's "Unsung Hero of Science Award"; been inducted into the Women in Science (WIS). She has received numerous other honors, such as the Golden Torch Award for Lifetime Achievement in Academia from the National Academy of Black Engineers, US Black Engineer & Information Technology magazine's "Black Engineer of the Year Award" (first female recipient), and the AAAS's "Unsung Hero of Science Award"; been inducted into the Women in Technology International Foundation Hall of Fame (WITI) and the National Women's Hall of Fame; and been recognized in such publications as Discover magazine ("Top 50 Women in Science"), the ESSENCE book 50 of The Most Inspiring African Americans, and Industry Week magazine ("50 R&D Stars at Watch").

A native of Washington, D.C., Dr. Jackson received both her B.S. in Physics (1968) and her Ph.D. in Theoretical Elementary Particle Physics (1973) from M.I.T. Dr. Jackson also holds 32 honorary doctoral degrees.

ROBERT P. KOGOD, DONOR AND PRESIDENT.

Robert P. and Arlene R. Kogod School of Business at American University (Robert P. Kogod School of Business, 2001) and Mr. Kogod received a division of Vornado. Charles E. Smith Residential Realty is a publicly traded real estate investment trust that merged with Archstone Communities to become Archstone-Smith Trust in 2001. Its core business is developing, acquiring, owning, and managing upscale urban residential rental properties. Mr. Kogod is a member of the boards of Vornado Realty Trust and Archstone-Smith Trust. He is also a member of the Economic Club of Washington.

The Kogods are renowned philanthropists. In 1979, the Robert P. and Arlene R. Kogod School of Business at American University (Robert P. Kogod School of Business, 2001) and Mrs. Kogod are long-standing members of the Smithsonian American Art Museum's American Art Forum and the Archives for American Communities. Mr. Kogod is also a member of the Smithsonian Washington Council and is currently serving as special advisor to Secretary Small on the Patent Office Building renovation projects of directors of the Kogods and/or the Kogod-Smith families and foundations have included the Jewish Community Center of Greater Washington; the Charles E. Smith Jewish Day School; the Hebrew Home of Greater Washington; the Jewish Community Center of Greater Washington; the Latin American Youth Center; the Corcoran Gallery of Art; and George Washington University. Mr. Kogod's other philanthropic interests include serving as president of American University, a board member of the Charles E. Smith Jewish Day School, and a trustee of The Island School and the Brookings Institution. Dr. Jackson was recently named one of seven 2004 Fellows of the Association for Women in Science (AWIS). She has received numerous other honors, such as the Golden Torch Award for Lifetime Achievement in Academia from the National Academy of Black Engineers, US Black Engineer & Information Technology magazine's "Black Engineer of the Year Award" (first female recipient), and the AAAS's "Unsung Hero of Science Award"; been inducted into the Women in Technology International Foundation Hall of Fame (WITI) and the National Women's Hall of Fame; and been recognized in such publications as Discover magazine ("Top 50 Women in Science"), the ESSENCE book 50 of The Most Inspiring African Americans, and Industry Week magazine ("50 R&D Stars at Watch").

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S2746

CONGRESSIONAL RECORD — SENATE
March 15, 2005

Weoley S. Williams, Jr., of Washington, D.C., on April 13, 2005, is filled by the appointment of Robert P. Kogod of Washington, D.C., for a term of 6 years, beginning on the later of April 13, 2005, and April 13, 2005.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 82—URGING THE EUROPEAN UNION TO ADD HIZBALLAH TO THE EUROPEAN UNION’S WIDENG-RANGING LIST OF TERRORIST ORGANIZATIONS

Mr. ALLEN (for himself, Mr. LIEBERMAN, Mr. BAYH, and Mr. SMITH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 82

Whereas Hezbollah, a Lebanon-based radical organization with terrorist cells based in Europe, Africa, North America, South America, Asia, and elsewhere, receiving financial, training, weapons, and political and organizational support from Iran, Syria, and elsewhere;

Whereas Hezbollah has led a 23-year global campaign of terror targeting United States, German, French, British, Italian, Israeli, Kuwaiti, Syrian, Argentine, Thai, Nigerian, Singaporean, and Russian civilians, among others;

Whereas former Director of Central Intelligence George Tenet called Hezbollah “an organization with the capability and worldwide presence [equal to] al-Qaeda, equal if not for more [of a] capable organization . . . [that’s] a notch above in many respects . . . which puts them in a state sponsored category with a potential for lethality that’s quite great;

Whereas Hezbollah has been suspected of numerous terrorist acts against United States citizens, including the suicide truck bombing of the United States Embassy and Marine Barracks in Beirut, Lebanon, in October 1983, and the Embassy annex in Beirut in September 1984;

Whereas the French unit of the Multinational Force in Beirut was also targeted in the attack of October 1983, in which 241 United States soldiers and 58 French paratroopers were killed;

Whereas Hezbollah has attacked Israeli and Jewish targets in South America in the past, including the attack of October 1983, in which 241 United States Embassy and Marine Barracks in Beirut, Lebanon, in October 1983, and the Embassy annex in Beirut in September 1984;

Whereas Hezbollah has expanded its operations in the West Bank and Gaza Strip, providing training, financing, and weapons to Palestinian terrorist organizations, including the Al-Aqsa Martyrs Brigade, Hamas, the Palestinian Islamic Jihad, and the Popular Front for the Liberation of Palestine;

Whereas in 2004, Hezbollah instigated, financed, or played a role in implementing a significant number of Palestinian terrorist attacks against Israeli and its citizens;

Whereas the European Union agreed by consensus to classify Hamas as a terrorist organization for purposes of prohibiting funding from the European Union to Hamas;

Whereas the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (22 U.S.C. 7141 et seq.) requires the government of Lebanon to assert the sovereignty of the Lebanese state over all of its territory and to evict all terrorist and foreign forces from southern Lebanon, Hezbollah and the Iranian Revolutionary Guards;

Whereas, although the European Union has included Imad Fayyaz Mugniyah, a key operations and intelligence officer of Hezbollah and currently on its terrorist list, it has not included his organization on the list;

Whereas the United States, Canada, and Australia have all classified Hezbollah as a terrorist organization and the United Kingdom has placed the Hezbollah External Security Organization on its terrorist list;

Whereas leaders of Hezbollah have made statements denouncing any distinction between its “political and military” operations, such as Hezbollah’s representative in the Lebanese Parliament, Mohammad Raad, who stated in 2001, that “Hezbollah is a military resistance party, and it is our task to fight the occupation of our land. . . . There is no separation between politics and resistance.”;

Whereas in book recently published by the deputy secretary-general of Hezbollah, Sheikh Naim Qassem, entitled “Hezbollah—The Approach, the Experience, the Future”, Qassem writes that if Hezbollah is a jihad organization then, from his viewpoint, jihad is against the Zionist enemy, while the political, pure and sensible effort can serve as a prop and a means of support for jihad;

Whereas United Nations Security Council resolution 1539 (September 2, 2004), jointly sponsored by the United States and France, calls upon all states to recall foreign forces to withdraw from Lebanon and for the disbanding and disarmament of all Lebanese and non-Lebanese militias;

Whereas in December 2004, the Department of State placed Al-Manar, Hezbollah’s satellite television network, on the Terrorist Exclusion List, and in December 2004, the French Council of State banned the broadcasting of Al-Manar in France;

Whereas France, Germany, and Great Britain, with the support of the High Representative of the European Union, have created a working group with Iran to discuss regional security concerns, including the influence of terrorist organizations Hezbollah and other extremist organizations; and

Whereas cooperation between the United States and the European Union regarding efforts to combat international terrorism is essential to the promotion of global security and peace: Now, therefore, be it

Resolved, That the Senate—

(1) urges the European Union to classify Hezbollah as a terrorist organization for purposes of prohibiting funding from the European Union to Hezbollah and recognizing it as a threat to the occupation of our land;

(2) condemns the continuous terrorist attacks perpetrated by Hezbollah;

(3) condemns the continuous support of Palestinian terrorist organizations on the European Union terrorist list, such as the Al Aqsa Martyrs Brigade, Hamas, the Palestinian Islamic Jihad, and the Popular Front for the Liberation of Palestine; and

(4) calls on Hezbollah to disarm and disband its militias in Lebanon, as called for in United Nations Security Council resolution 1559 (September 2, 2004).

AMENDMENTS SUBMITTED AND PROPOSED

SA 144. Mr. CONRAD (for himself and Ms. STABENOW) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for foreign fiscal years 2005 and 2006.

SA 145. Mr. NELSON of Florida (for himself and Mrs. CLINTON) proposed an amendment to the concurrent resolution S. Con. Res. 18, supra.

SA 146. Mr. WARNER (for himself, Ms. COLLINS, Mr. COCHRAN, Mr. LOTTF, Mr. INHOPE, Mr. CHEMM, Mr. ARNOLD, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. TALENT, and Ms. SOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra, which was ordered to lie on the table.

SA 147. Ms. STABENOW (for herself, Mr. LEAVITT, Ms. MIKULSKY, Mr. CORZINE, Mr. HARKIN, Mr. BIDEN, Mr. PRYOR, Mrs. CLINTON, Mr. AKAKA, Mr. BAUCUS, Mr. NELSON of Florida, Mr. ROCKEFELLER, Mr. LEIBERMAN, Ms. BOXER, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra.

SA 148. Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra, which was ordered to lie on the table.

SA 149. Mr. AKAKA (for himself, Mrs. MURRAY, Mr. OBAMA, Mr. JEFFORDS, Ms. STABENOW, Mr. CORZINE, Mr. SARBANES, Mr. SANDERS, Mr. S. AKIN, Mr. S. MILLER, Mr. DORGAN, Mr. LEVIN, Mr. SCHUMER, Mr. KERRY, Mr. FEINGOLD, Mrs. BOXER, Mrs. CLINTON, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra.

SA 150. Mr. DEWINE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra.

SA 151. Mr. BIDEN (for himself, Mr. DORGAN, Mr. LIEAHY, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra, which was ordered to lie on the table.

SA 152. Mr. GRAHAM (for himself and Mr. SANTORUM) proposed an amendment to the concurrent resolution S. Con. Res. 18, supra.

SA 153. Mr. BYRD (for himself, Mrs. C. CLINTON, Mr. BIDEN, Mr. SARBAKES, Mr. LEVINE, Mr. S. DURBIN, Mrs. FEINSTEIN, Ms. MIKULSKY, Mr. SCHUMER, Mr. DAVIES, Mr. J. MURPHY, Mr. B. MURRAY, and Mr. PANETTA) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra, which was ordered to lie on the table.

SA 154. Mr. BYRD (for himself, Mrs. C. CLINTON, Mr. BIDEN, Mr. SARBAKES, Mr. LEVINE, Mr. S. DURBIN, Mrs. FEINSTEIN, Ms. MIKULSKY, Mr. SCHUMER, Mr. DAVIES, Mr. J. MURPHY, Mr. B. MURRAY, and Mr. PANETTA) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra, which was ordered to lie on the table.

SA 155. Ms. CLINTON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, supra, which was ordered to lie on the table.

SA 156. Mr. SARBANES (for himself, Mr. NELSON of Florida, Ms. STABENOW, Ms. MURRAY, Mr. CORZINE, Mr. FEINGOLD, Mr. REED, Mr. LEAHY, Mr. KENNEDY, Ms. LIEBERMAN, Mr. DURBIN, Mrs. FEINSTEIN, Ms. MIKULSKY, Mr. SCHUMER, Mr. DAVIES, MR. J. MURPHY, Mr. B. MURRAY, and Mr. PANETTA) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra, which was ordered to lie on the table.

SA 157. Mr. BAYH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra, which was ordered to lie on the table.

SA 158. Mr. BYRD (for himself, Mrs. CLINTON, Mr. CORZINE, Mr. SPECTER, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. CARPER, Mr. SCHATZ, Mr. DURBIN, Mr. LUTTENBERG, Mr. KERRY, Mr. OBAMA, Mr. KOHL, Mr. KENNEDY, Mr. JEFFORDS, Mr. LIEBERMAN, Mr. BIDEN, Mr. SARBANES, Mr. LEVIN, Mr. CORZINE, Mr. LIEAHY, and Mr. INOUYE) submitted an amendment to the concurrent resolution S. Con. Res. 18, supra.
SEC. 105. POINT OF ORDER TO SAVE SOCIAL SECURITY FIRST.

(a) POINT OF ORDER IN THE SENATE.—It shall not be in order in the Senate to consider any legislation that would increase the on-budget deficit in any fiscal year.

(b) EXCEPTION.—The point of order established by this section shall not apply if 75-year solvency has been restored to the Old-Age, Survivors, and Disability Insurance Trust Funds as determined by the Social Security Administration actuaries.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the interest of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SA 145. Mr. NELSON of Florida (for himself and Mrs. CLINTON) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table.

SA 146. Mr. WARNER (for himself, Ms. COLLINS, Mr. COCHRAN, Mr. LOTT, Mr. INHOFE, Mr. CHAMBLISS, Mr. ALLEN, Mr. VITTER, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. TALENT, and Ms. SNOWE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 144. Mr. CONRAD (for himself and Ms. STABENOW) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 57, after line 2, insert the following:

SA 147. Ms. STABENOW (for herself, Mr. LEVIN, Ms. MIKULSKI, Mr. KERRY, Mr. CORZINE, Mr. HARKIN, Mr. BIDEN, Mr. PHYOR, Mrs. CLINTON, Mr. AKAKA, Mr. BAUCUS, Mr. NELSON of Florida, Mr. ROCKETTELLER, Mr. LIEBERMAN, Mr. CARPER, Mr. NELSON of Nebraska, and Mr. DAYTON) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 3 line 10, increase the amount by $451,000,000.

On page 3 line 11, increase the amount by $1,145,000,000.

On page 3 line 12, increase the amount by $850,000,000.

On page 3 line 13, increase the amount by $521,000,000.

On page 3 line 14, increase the amount by $285,000,000.

On page 3 line 19, increase the amount by $1,145,000,000.

On page 3 line 20, increase the amount by $850,000,000.

On page 4 line 1, increase the amount by $521,000,000.

On page 4 line 2, increase the amount by $226,000,000.

On page 4 line 7, increase the amount by $1,626,000,000.

On page 4 line 16, increase the amount by $225,000,000.

On page 4 line 17, increase the amount by $572,000,000.

On page 4 line 18, increase the amount by $225,000,000.

On page 4 line 19, increase the amount by $251,000,000.

On page 4 line 20, increase the amount by $1,435,000,000.

On page 4 line 21, increase the amount by $226,000,000.

On page 4 line 25, increase the amount by $573,000,000.

On page 5 line 1, increase the amount by $425,000,000.

On page 5 line 2, increase the amount by $260,000,000.

On page 5 line 3, increase the amount by $142,000,000.

On page 5 line 7, decrease the amount by $226,000,000.

On page 5 line 8, decrease the amount by $799,000,000.

On page 5 line 9, decrease the amount by $1,224,000,000.

On page 5 line 10, decrease the amount by $1,484,000,000.

On page 5 line 11, decrease the amount by $1,626,000,000.

On page 5 line 15, decrease the amount by $226,000,000.

On page 5 line 16, decrease the amount by $799,000,000.

On page 5 line 17, decrease the amount by $1,224,000,000.

On page 5 line 18, decrease the amount by $1,484,000,000.

On page 5 line 19, decrease the amount by $1,626,000,000.

On page 16 line 15, increase the amount by $603,000,000.

On page 16 line 16, increase the amount by $49,000,000.

On page 16 line 20, increase the amount by $275,000,000.

On page 16 line 24, increase the amount by $196,000,000.

On page 17 line 3, increase the amount by $83,000,000.

On page 23 line 16, increase the amount by $1,023,000,000.

On page 23 line 17, increase the amount by $176,000,000.

On page 23 line 21, increase the amount by $587,000,000.

On page 23 line 25, increase the amount by $229,000,000.
On page 24 line 4, increase the amount by $178,000,000.
On page 24 line 8, increase the amount by $143,000,000.
On page 30 line 16, decrease the amount by $451,000,000.
On page 30 line 17, decrease the amount by $3,252,000,000.
On page 48 line 6, increase the amount by $1,826,000,000.
On page 48 line 7, increase the amount by $225,000,000.

SA 148. Mr. KENNEDY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

SA 149. Mr. AKAKA (for himself, Mrs. MURRAY, Mr. OBAMA, Mr. JEFFORDS, Ms. STABENOW, Mr. CORZINE, Mr. SAR-BANES, Ms. LANDRIEU, Mr. SALAZAR, Mr. ROCKEFELLER, Mr. DORGAN, Mr. LEVIN, Mr. SCHUMER, Mr. KERRY, Mr. FEINGOLD, Mrs. BOXER, Mrs. CLINTON, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

SA 150. Mr. DEMINT proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

SA 151. Mr. BIDEN (for himself, Mr. DORGAN, Mr. LEAHY, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:
(3) on July 15, 2002, the Attorney General stated, “Since law enforcement agencies began partnering with citizens through community policing, we’ve seen significant drops in crime rates. COPS provides resources that reflect our national priority of terrorism prevention.”;

(4) on February 26, 2002, the Attorney General acknowledged that the COPS program has been a miraculous sort of success. It’s one of those things that Congress hopes will happen when it sets up a program.

(5) The Federal Bureau of Investigation’s Assistant Director for the Office of Law Enforcement Coordination has stated, “The FBI fully understands that our success in the fight against terrorism is directly related to the strength of our relationship with our State and local partners.”

(6) a 2003 study of the 44 largest metropolitan police departments found that 27 of them have reduced force levels;

(7) shortages of officers and increased homeland security duties has forced many local police agencies to rely on overtime and abandon effective, preventative policing practices. And, as a result police chiefs from around the nation are reporting increased gang activity and other troubling crime indicators,

(8) several studies have concluded that the implementation of community policing as a law enforcement strategy is an important factor in the reduction of crime in our communities;

(9) in addition, experts at the Brookings Institute have concluded that community policing programs are critical to our success in the war against terrorism.

(10) the coordination and full funding of the COPS program through fiscal year 2010 is supported by several major law enforcement organizations, including—

(A) the International Association of Chiefs of Police;
(B) the International Brotherhood of Police Officers;
(C) the Fraternal Order of Police;
(D) the National Sheriffs’ Association;
(E) the National Troopers Coalition;
(F) the Federal Law Enforcement Officers Association;
(G) the National Association of Police Organizations;
(H) the National Organization of Black Law Enforcement Executives;
(I) the Police Executive Research Forum; and
(J) the Major Cities Chiefs;

(11) Congress appropriated $928,912,000 for the COPS program for fiscal year 2003, $756,283,000 for fiscal year 2004, and $499,346,000 for fiscal year 2005, and (12) the President requested $117,781,000 for the COPS program for fiscal year 2006, $381,583,000 less than the amount appropriated for fiscal year 2004.

(13) Congress appropriated $825,000,000,000 for fiscal year 2003, $756,283,000 for fiscal year 2004, and $499,346,000 for fiscal year 2005, and (14) the President requested $117,781,000 for the COPS program for fiscal year 2006, $381,583,000 less than the amount appropriated for fiscal year 2004.

(15) Congress has made the following:—

(A) Higher tax rates.
(B) Lower Social Security benefit levels.
(C) Increased Federal debt or less spending on other federal programs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the President, the Congress, and the American people including seniors, workers, minorities, and disabled persons should work together at the earliest opportunity to enact legislation to achieve a solvent and permanently sustainable Social Security system;

(2) Social Security reform—

(A) must protect current and near retirees from any changes to Social Security benefits; and
(B) must reduce the pressure on future taxpayers and on other budgetary priorities;
(C) must provide benefit levels that adequately reflect individual contributions to the Social Security system; and
(D) must preserve and strengthen the safety net for vulnerable populations including the disabled and elderly and poor.

(3) the Senate should honor section 13301 of the Budget Enforcement Act of 1990.

SA 153. Mr. DEWINE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

At the end of title V, insert the following:

SEC. . . SENSE OF THE SENATE REGARDING SOCIAL SECURITY RESTRUCTURING.
(a) FINDINGS.—The Senate finds that—

1) Social Security is the foundation of retirement income for most Americans;
2) preserving and strengthening the long term viability of Social Security is a vital national priority and essential to the retirement security of today’s working Americans, current and future retirees, and their families;
3) Social Security faces significant fiscal and demographic pressures;
4) the nonpartisan Office of the Chief Actuary at the Social Security Administration reports that—
(A) the number of workers paying taxes to support each Social Security beneficiary has dropped from 16.5 in 1960 to 3 in 2020,
(B) within a generation there will only be 2 workers to support each retiree, which will substantially increase the financial burden on American workers;
(C) without structural reform, the Social Security system, beginning in 2018, will pay out more in benefits than it will collect in taxes;
(D) without structural reform, the Social Security trust fund will be exhausted in 2042, and Social Security tax revenue in 2042 will only cover 71 percent of benefits, and will decrease to 68 percent by 2078;
(E) without structural reform, future Congresses may have to raise payroll taxes 50 percent and essential to pay full benefits on time, resulting in payroll tax rates of as much as 16.9 percent by 2042 and 18.3 percent by 2078;
(F) without structural reform, Social Security’s total cash shortfall over the next 75 years is estimated to be more than $25,000,000,000 in constant 2004 dollars or $5,700,000,000,000 measured in present value terms; and
(G) absent structural reforms, spending on Social Security will increase from 4.3 percent of gross domestic product in 2004 to 6.6 percent in 2078; and

(5) the Congressional Budget Office, the Government Accountability Office, the Congressional Research Service, the Chairman of the Federal Reserve Board, and the President’s Commission to Strengthen Social Security have all warned that failure to enact reasonably responsible Social Security reform can quickly result in 1 or more of the following:

(a) Higher tax rates.
(b) Lower Social Security benefit levels.
(c) Increased Federal debt or less spending on other federal programs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the President, the Congress, and the American people including seniors, workers, minorities, and disabled persons should work together at the earliest opportunity to enact legislation to achieve a solvent and permanently sustainable Social Security system;

(2) Social Security reform—

(A) must protect current and near retirees from any changes to Social Security benefits; and
(B) must reduce the pressure on future taxpayers and on other budgetary priorities;
(C) must provide benefit levels that adequately reflect individual contributions to the Social Security system; and
(D) must preserve and strengthen the safety net for vulnerable populations including the disabled and elderly and poor.

(3) the Senate should honor section 13301 of the Budget Enforcement Act of 1990.

SA 153. Mr. DEWINE submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

At the end of title V, insert the following:

SEC. . . SENSE OF THE SENATE CONCERNING CHILDREN WITH HIV/AIDS.
(a) FINDINGS.—The Senate makes the following findings:

(1) Approximately 2,200,000 million children under the age of 15 are infected with the HIV virus, and 1,000 children worldwide are infected with HIV each day;

(2) In 2004, it was estimated that of the 4,900,000 people newly infected with HIV, 600,000 were children. The vast majority of them were infected through mother-to-child transmission, which includes transmission at any point during pregnancy, labor, delivery, or breastfeeding;

(3) Effective implementation of prevention of mother-to-child transmission of HIV and care and treatment services in the United States has resulted in the near elimination (less than 2 percent transmission) of mother-to-child transmission of HIV/AIDS. By contrast, in resource-poor settings less than 10 percent of pregnant women living with HIV have access to services to prevent mother-to-child transmission of HIV;

(4) Currently, more than 4,000,000 children worldwide are estimated to have died from AIDS;

(5) In 2004, approximately 510,000 children died of AIDS, resulting in almost 1,400 AIDS deaths per children per day;

(6) According to the Joint United Nations Programme on HIV/AIDS, if current trends continue by 2010, 3,500,000 of the 45,000,000 people infected worldwide will be children under the age of 15;

(7) At least a quarter of newborns infected with HIV die before the age of one, up to 60 percent die before reaching their second birthday, and overall, most die before they are 5 years of age.

(8) HIV threatens to reverse the child survival and developmental gains of past decades;

(9) Research and practice have shown conclusively that timely initiation of antiretroviral therapy for children with HIV/AIDS can preserve or restore their immune functions, promote normal growth and development, and prolong life;

(10) There is clear evidence in resource-rich countries that antiretroviral treatment in children is very effective. For example, newborns infected with HIV who receive antiretroviral treatment can live up to 60 percent longer than those who do not receive treatment;

(11) Few programs specifically target the treatment of children with HIV/AIDS in resource-poor countries due to significant challenges in diagnosing and treating infants and young children with HIV. Such challenges include difficulty in diagnosing HIV in infants less than 18 months of age, lack of appropriate and affordable pediatric HIV/AIDS medicines, and lack of trained health care providers;

(12) Children are not small adults and treating them as such can seriously jeopardize their health;

(13) Children should not be forgotten in the fight against the global HIV/AIDS pandemic.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that this resolution assumes that—

(1) A assistance should be provided to support the expansion of programs to prevent...
mother-to-child transmission of HIV as an integral component of a comprehensive approach to fighting HIV/AIDS; and

(2) to facilitate the expansion described in subparagraph (A); and

(3) more resources are needed for infrastructure improvements and education and training of health care workers; and

(4) between mother-to-child transmission and broader care and treatment programs should be created for women, children, and families who are in need of access to expanded services;

(2) assistance should be provided to support the care and treatment of children with HIV/AIDS, including the development and purchase of low-cost pediatric formulations of antiretroviral drugs and other HIV/AIDS medicines, including fixed-dose combinations, pediatric-specific training to doctors and other health-care personnel, and the purchase of pediatric-appropriate technologies;

(3) all antiretroviral drugs need precise and simplified guidelines for all pediatric age groups, including infants, and all HIV/AIDS drugs including those developed for children should be made available at drastically-reduced prices in resource-poor countries;

(4) health care sites in resource-poor countries need better diagnostic capacity and appropriate policies to provide care and treatment services for children, and additional training is required to ensure that all health care providers can administer specialized care services for children, including psychological, social, and medical care; and

(5) pediatric care and treatment should be integrated into the existing health care framework so children and families can be treated simultaneously.

SA 154. Mrs. CLINTON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. ___ DEFICIT NEUTRAL RESERVE FUND FOR INFLUENZA VACCINE SHORTAGE PREVENTION.

If the Committee on Health, Education, Labor, and Pensions of the Senate reports a bill or joint resolution, or an amendment thereto is offered or a conference report thereof is submitted, that increases the participation of manufacturers in the production of influenza vaccine, increases research and innovation in new technologies for the development of influenza A virus, and enhances the ability of the United States to track and respond to domestic influenza outbreaks as well as pandemic containment efforts, the chairman of the Committee on the Budget shall revise committee allocations for the Committee on Health, Education, Labor, and Pensions and other appropriate budgetary aggregates for fiscal year 2006 and beyond and reallocate any new budget authority and outlays by the amount provided by that measure for that purpose, regardless of whether the committee is within its 302(b) allocations, and if such legislation shall be exempt from sections 302, 335, 311, and 425 of the Congressional Budget Act, and from section 506 of the concurrent resolution on the budget for fiscal year 2004 (H. Con. Res. 95), that if measure would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

SA 156. Mr. SARBANES (for himself, Mr. NELSON of Florida, Ms. STABENOW, Mrs. MURRAY, Mr. CORZINE, Mr. FINGOLD, Mr. REED, Mr. LEAHY, Mr. KENNEDY, Mrs. BOXER, Mr. DURBIN, Mr. FEINSTEIN, Ms. MIKULSKI, Mr. SCHUMER, Mr. DAYTON, Mr. JEFFORDS, Mr. DODD, Mr. OBAMA, Mrs. BOXER, Mr. HARKIN, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. ___ AMENDMENT OF THE SENATE CONCERNING COMPARATIVE EFFECTIVENESS STUDIES.

It is the Sense of the Senate that—

(1) the overall discretionary levels set in this resolution assume $75,000,000 in new budget authority in fiscal year 2006 and new outlays that flow from this budget authority in fiscal year 2006 and subsequent years, to fund additional research and ongoing systematic reviews in the Agency for Health Care Research and Quality, and

(2) in addition to the efforts currently undertaken by the Agency for Health Care Research and Quality that are designed to improve scientific evidence related to the comparative effectiveness and safety of prescription drugs and other treatments and to disseminate the findings and underlying data from such research to health care practitioners, consumers, and health care purchasers, knowledge gaps identified through such efforts should be the focus of additional research and allocations to ensure that the goals of the relevant authorizing legislation are met.

SA 155. Mrs. CLINTON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___ CONGRESSIONAL RECORD — SENATE March 15, 2005

(5) The implicit tax burden that results back to 1980, broken down by foreign governments, institutions, and foreign private investors, and expressed in nominal terms and as a percentage of the total amount of publicly-held debt in each year.

(2) The economic impact that the increased foreign ownership of United States publicly-held debt has had on the ability of the United States to maintain a stable dollar policy.

(3) The impact that foreign ownership of United States publicly-held debt has had, or could have, on United States trade policy.

(4) What entities (i.e. individuals, corporations, or foreign governments) own United States publicly-held debt that exist in Caribbean banking centers.

(5) The implicit tax burden that results from foreign debt holdings, specifically the per capita amount that a United States taxpayer will pay in annual Federal income in service the foreign debt during each of fiscal years 2006 through 2010.

SA 158. Mr. BYRD (for himself, Mrs. CLINTON, Mr. CORZINE, Mr. SPECKER, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. CARPER, Mr. SCHUMER, Mr. DURBAN, Mr. DORGAN, Mr. LAUTENBERG, Mr. KERRY,
Mr. OBAMA, Mr. KOHL, Mr. KENNEDY, Mr. JEFFORDS, Mr. LIEBERMAN, Mr. BIDEN, Mr. SARBANES, Mr. LEVIN, Mr. CRAFEE, Mr. LEAHY, Ms. MIKULSKI, and Mr. INOUYE) proposed an amendment to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; as follows:

On page 3, line 10, increase the amount by $1,040,000,000.
On page 3, line 19, increase the amount by $1,040,000,000.
On page 4, line 7, increase the amount by $1,040,000,000.
On page 4, line 16, increase the amount by $1,040,000,000.
On page 14, line 15, increase the amount by $1,040,000,000.
On page 15, line 16, increase the amount by $1,040,000,000.
On page 48, line 7, increase the amount by $1,040,000,000.

SA 159. Mr. OBAMA submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 9, line 15, increase the amount by $1,000,000.
On page 9, line 16, increase the amount by $6,000,000.
On page 9, line 20, increase the amount by $11,000,000.
On page 9, line 21, increase the amount by $5,000,000.
On page 14, line 3, increase the amount by $2,000,000.
On page 26, line 14, decrease the amount by $25,000,000.
On page 26, line 15, decrease the amount by $5,000,000.
On page 26, line 18, decrease the amount by $11,000,000.
On page 26, line 21, decrease the amount by $5,000,000.
On page 26, line 24, decrease the amount by $2,000,000.

SA 160. Mr. LEAHY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 9, line 15, increase the amount by $44,000,000.
On page 9, line 16, increase the amount by $40,000,000.
On page 9, line 20, increase the amount by $3,000,000.
On page 9, line 24, increase the amount by $1,000,000.
On page 14, line 14, decrease the amount by $44,000,000.
On page 26, line 15, decrease the amount by $40,000,000.
On page 26, line 18, decrease the amount by $3,000,000.

On page 26, line 21, decrease the amount by $1,000,000.
On page 26, line 24, decrease the amount by $2,000,000.

SA 161. Mr. DeWINE (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 9, line 15, increase the amount by $34,000,000.
On page 9, line 16, increase the amount by $67,000,000.
On page 9, line 20, increase the amount by $30,000,000.
On page 9, line 24, increase the amount by $62,000,000.
On page 10, line 3, increase the amount by $29,000,000.
On page 10, line 7, increase the amount by $13,000,000.
On page 26, line 14, decrease the amount by $34,000,000.
On page 26, line 15, decrease the amount by $67,000,000.
On page 26, line 18, decrease the amount by $30,000,000.
On page 26, line 21, decrease the amount by $62,000,000.
On page 26, line 24, decrease the amount by $29,000,000.
On page 27, line 2, decrease the amount by $13,000,000.

SA 162. Mr. ENSIGN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 23, line 16, increase the amount by $352,000,000.
On page 23, line 17, increase the amount by $317,000,000.
On page 23, line 21, increase the amount by $35,400,000.
On page 9, line 15, decrease the amount by $352,000,000.
On page 9, line 16, decrease the amount by $317,000,000.
On page 9, line 20, decrease the amount by $35,400,000.

SA 163. Mr. SANTORUM submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. 6. SENSE OF THE SENATE REGARDING TAX RELIEF TO ENCOURAGE CHARITABLE GIVING.

(a) FINDINGS.—The Senate finds that—
(1) the CARE Act, which represents a part of the President’s faith-based initiative, will spur charitable giving and assist faith-based and community organizations that serve the needy;
(2) more than 1,600 small and large organizations from around the Nation have endorsed the CARE Act, and in the 108th Congress the CARE Act had bipartisan support and was sponsored by 23 Senators;
(3) although the CARE Act passed the Senate on February 13, 2003, by a vote of 98 to 2, and the House of Representatives passed companion legislation on September 17, 2003, by a vote of 408 to 13, a conference committee on the CARE Act was never formed and a final version was not passed in the 108th Congress; and
(4) charities around the Nation continue to struggle, and the passage of the incentives for charitable giving contained in the CARE Act would provide significant dollars in private and public sector assistance to those in need.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that a relevant portion of amounts in this budget resolution providing for tax relief should be used—
(1) to provide the 86,000,000 Americans who do not itemize deductions an opportunity to deduct charitable contributions;
(2) to provide incentives for individuals to give tax free contributions from individual retirement accounts for charitable purposes;
(3) to provide incentives for an estimated $25,000,000 in food donations from farmers, restaurants, and corporations to help the needy, an equivalent of 878,000,000 meals for hungry Americans over 10 years;
(4) to provide at least 300,000 low-income, working Americans the opportunity to build assets through individual development accounts or IDAs, which can be used to purchase a home, expand educational opportunity, or to start a small business; and
(5) to provide incentives for corporate charitable contributions.

SA 164. Mr. GRASSLEY (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 2. DEFICIT-NEUTRAL RESERVE FUND FOR THE FAMILY OPPORTUNITY ACT.

In the Senate, if the Committee on Finance reports a bill or joint resolution or an amendment is offered thereto or a conference report is submitted, that provides families of disabled children with the opportunity to purchase coverage under the medical aid coverage for such children (the Family Opportunity Act), and that provided that the committee is within its allocation as provided under section 302(a) of the Congressional Budget Act of 1974, the chairman of the Committee on Finance may revise allocations of new budget authority and outlays, revenue aggregates, and other appropriate measures to reflect such legislation if any such measure would not increase the deficit for fiscal year 2006 and for the period of fiscal years 2006 through 2010.

SA 165. Ms. SNOWE (for herself, Mr. WYDEN, Mr. MCCAIN, Mr. FEINGOLD, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010;
which was ordered to lie on the table; as follows:

On page 40, after line 8, insert the following:

SEC. 3. RESERVE FUND FOR THE NEGOTIATION OF THE BEST POSSIBLE PRICE FOR PRESCRIPTION DRUGS UNDER MEDICARE PART D.

The Chairman of the Senate Committee on the Budget may revise the aggregate, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that allows the Secretary of Health and Human Services to participate in negotiations to achieve the best possible prices for prescription drugs provided under part D of title XVIII of the Social Security Act through fullback prescription drug plans, and through prescription drug plans and MA-PD plans (if requested by such plans), and in other circumstances, by the amount of savings in that legislation, to ensure that those savings are reserved for deficit reduction.

SA 166. Mr. KENNEDY (for himself, Mr. CORZINE, Mr. KERRY, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, settling the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

(1) The Presidential Administration of the United States Government for fiscal year 2006 and including the appropriate budgetary levels and limits in this resolution intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

(1) The Presidential Administration of George W. Bush (referred to in this section

SA 167. Mr. BAUCUS (for himself and Mr. GRASSLEY) submitted an amend-
as the “Administration”) has supported language in the Global HIV/AIDS authorization bill that links United States contributions to the Global Fund to the contributions of other donors, permitting the United States to provide 33 percent of all donations, which would match contributions on a one-to-two basis.

(4) Congress has provided one-third of all donations to the Global Fund every year of the Fund’s existence.

(5) For fiscal year 2006, the Global Fund estimates it will renew $2,400,000,000 worth of effective programs that are already operating on the ground, and the Administration and Fund Board have said that renewals of existing grants should receive priority funding.

(6) The Global Fund is an important component of United States efforts to combat AIDS, tuberculosis and malaria, and supports approximately 300 projects in 130 countries.

(7) For fiscal year 2006, the President has requested $300,000,000 for the United States contribution to the Global Fund.

(8) Through a mid-year review process, Congress and the Administration will assess contributions to date and anticipated contributions to the Global Fund, and ensure that United States contributions are, at year-end, at the appropriate one-to-two ratio.

(9) Congress and the Administration will monitor contributions to the Global Fund to ensure that United States contributions do not exceed one-third of the Global Fund’s revenues.

(10) In order to cover one-third of renewals during fiscal year 2006, and to maintain the one-to-two funding match, the United States will need to contribute an additional $500,000,000 above the President’s request for the Global Fund for fiscal year 2006 to keep good programs funded at a level of $800,000,000.

(b) Sense of the Senate.—It is the sense of the Senate that the assumptions underlying this budget resolution assume that none of the offsets needed to provide $800,000,000 for the Global Fund will come from international humanitarian assistance programs.

SA 170. Mrs. HUTCHISON (for herself, Mr. CORNYN, Mr. BINGMAN, Mr. MCCAIN, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 22, line 17, increase the amount by $369,000,000.

On page 22, line 21, increase the amount by $37,000,000.

On page 22, line 25, increase the amount by $2,000,000.

On page 9, line 15, decrease the amount by $110,000,000.

On page 9, line 16, decrease the amount by $369,000,000.

On page 9, line 20, decrease the amount by $37,000,000.

On page 9, line 24, decrease the amount by $2,000,000.

SA 172. Mr. HARKIN (for himself, Mr. DURBIN, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010; which was ordered to lie on the table; as follows:

On page 3, line 10, increase the amount by $1,400,000,000.

On page 3, line 11, increase the amount by $2,800,000,000.

On page 3, line 12, increase the amount by $4,600,000,000.

On page 3, line 13, increase the amount by $6,500,000,000.

On page 3, line 14, increase the amount by $8,500,000,000.

On page 3, line 19, increase the amount by $1,400,000,000.

On page 3, line 20, increase the amount by $2,800,000,000.

On page 3, line 21, increase the amount by $4,600,000,000.

On page 4, line 1, increase the amount by $6,500,000,000.

On page 4, line 2, increase the amount by $8,500,000,000.

On page 4, line 7, increase the amount by $1,380,000,000.

On page 4, line 8, increase the amount by $1,430,000,000.

On page 4, line 9, increase the amount by $1,490,000,000.

On page 4, line 10, increase the amount by $1,550,000,000.

On page 4, line 11, increase the amount by $1,610,000,000.

On page 4, line 16, increase the amount by $40,000,000.

On page 4, line 17, increase the amount by $1,040,000,000.

On page 4, line 18, increase the amount by $1,350,000,000.

On page 4, line 19, increase the amount by $1,480,000,000.

On page 4, line 20, increase the amount by $1,540,000,000.

On page 4, line 21, increase the amount by $3,600,000,000.

On page 4, line 25, increase the amount by $7,600,000,000.

On page 4, line 1, increase the amount by $25,000,000.

On page 5, line 2, increase the amount by $5,020,000,000.

On page 5, line 3, increase the amount by $6,960,000,000.

On page 5, line 7, decrease the amount by $1,360,000,000.

On page 5, line 8, decrease the amount by $3,120,000,000.

On page 5, line 9, decrease the amount by $6,370,000,000.

On page 5, line 10, decrease the amount by $13,390,000,000.

On page 5, line 11, decrease the amount by $18,350,000,000.

On page 5, line 15, decrease the amount by $3,160,000,000.

On page 5, line 16, decrease the amount by $3,120,000,000.

On page 5, line 17, decrease the amount by $6,370,000,000.

On page 5, line 18, decrease the amount by $13,390,000,000.

On page 5, line 19, decrease the amount by $18,350,000,000.

On page 17, line 16, increase the amount by $10,000,000.

On page 17, line 17, increase the amount by $40,000,000.

On page 17, line 20, increase the amount by $1,430,000,000.

On page 17, line 21, increase the amount by $1,040,000,000.

On page 17, line 24, increase the amount by $1,490,000,000.

On page 17, line 25, increase the amount by $1,350,000,000.

On page 18, line 3, increase the amount by $1,550,000,000.

On page 18, line 4, increase the amount by $1,480,000,000.

On page 18, line 7, increase the amount by $1,610,000,000.

On page 18, line 8, increase the amount by $1,540,000,000.

On page 30, line 16, decrease the amount by $1,490,000,000.

On page 30, line 17, decrease the amount by $23,800,000,000.

On page 48, line 6, increase the amount by $1,380,000,000.

On page 48, line 7, increase the amount by $40,000,000.

On page 48, line 9, increase the amount by $1,430,000,000.

On page 48, line 12, increase the amount by $1,490,000,000.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. GRAHAM. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on Tuesday, March 15, 2005. The purpose of this hearing will be to discuss school nutrition programs.

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

COMMITTEE ON ARMED SERVICES

Mr. GRAHAM. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 15, 2005, at 9:30 a.m., in open session to receive testimony from combatant commanders on their military strategy and operational requirements, in review of the Defense Authorization Request for fiscal year 2005.

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

COMMITTEE ON ARMED SERVICES

Mr. GRAHAM. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 15, 2005, at 4:30 p.m. in open session to consider the following nominations: Honorable Anthony J. Principi to be a Member of the Defense Base Closure and Realignment Commission.
The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. GRAHAM. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 15, 2005, at 10:00 a.m., to conduct a hearing on "Identity Theft: Recent Developments Involving the Security of Sensitive Consumer Information.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. GRAHAM. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 15, 2005 at 9:30 a.m. to hold a nomination hearing.

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

COMMITTEE ON THE JUDICIARY

Mr. GRAHAM. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, March 15, 2005 at 2:15 p.m. to hold a Business Meeting.

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

COMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. GRAHAM. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet on Tuesday, March 15, 2005, at 10 a.m. for a hearing entitled, "Critical Mission: Ensuring the Success of the National Security Personnel System."

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

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND HOMELAND SECURITY

Mr. GRAHAM. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary Subcommittee on Terrorism, Technology, and Homeland Security be authorized to meet to conduct a hearing on "Openness in Government: Freedom of Information: Examining the OPEN Government Act of 2005," on Tuesday, March 15, 2005, at 10 a.m. in Room 226 of the Dirksen Senate Office Building.

The tentative witness list is attached.

PANEL I: Katheryn M. "Missy" Cary, Assistant Attorney General of Texas, Chief, Open Records, Division, Austin, TX; Walter Mears, former Washington Bureau chief and Executive Editor, Associated Press, Chapel Hill, NC; Marcck Townsend, Director, Center for Media and Public Policy, The Heritage Foundation, Washington, DC; Lisa Graves, Senior Counsel for Legislative Strategy, American Civil Liberties Union, Washington, DC; Meredith Fuchs, General Counsel, National Security Archive, George Washington University, Washington, DC; and Thomas M. Susman, Ropes & Gray LLP, Washington, DC.

Mr. CRAIG. Mr. President, I ask unanimous consent that the bill (H.R. 1160) was received from the House.

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

APPOINTMENT

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Democratic Leader, pursuant to Public Law 105-83, announces the appointment of the following individual to serve as members of the National Council on the Arts: the Senator from Vermont, Mr. LEAHY; vice, the Senator from Nevada, Mr. REID.

The Chair, pursuant to Executive Order 12131, as amended, appoints the following Members to the President's Export Council: the Senator from Montana, Mr. BAUCUS; the Senator from North Dakota, Mr. DORGAN.

REAUTHORIZING THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT PROGRAM

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1160, which was received from the House.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

H.R. 1160 to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2005, and for other purposes.

There being no objection, the bill proceeded to consider the bill.

Mr. CRAIG. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 1160) was read the third time and passed.
ORDERS FOR WEDNESDAY, MARCH 16, 2005

Mr. CRAIG. Mr. President, I ask unanimous consent that when the Senate completes its business today, the Senate adjourn until 9 a.m. on Wednesday, March 16. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then resume consideration of S. Con. Res. 18, the budget resolution; provided further that Senator FEINFELD may then be recognized for 20 minutes as provided under the previous order; further, that following those remarks, Senator SPECTER be recognized to offer the NIH amendment under the limitations provided under the earlier agreement.

PROGRAM

Mr. CRAIG. Mr. President, tomorrow the Senate will resume consideration of the budget resolution. We will continue the amendment process tomorrow morning. Under the previous order, we will conclude debate on five amendments during tomorrow morning’s session. It is anticipated that we will have votes in relation to all five of these amendments around 1 p.m. tomorrow, and we will keep Senators posted as to the timing of these stacked series of votes.

For the remainder of the day, the Senate will continue working through the amendments on the budget resolution. We have made good progress on the resolution thus far, but we still have a long way to go prior to passage. We will be very busy over the next couple of days, and Senators should continue to make themselves available for the remainder of the week.

ORDER FOR ADJOURNMENT

Mr. CRAIG. If there is no further business to come before the Senate, I ask the Senate stand in adjournment under the previous order, following the remarks of Senator SPECTER for up to 10 minutes.

The Acting President pro tempore. Without objection, it is so ordered.

The Senator from Iowa.

PERKINS VOCATIONAL AND TECHNICAL EDUCATION ACT AMENDMENT

Mr. HARKIN. Mr. President, I have an amendment that I just sent to the desk. It is pending. I will not call it up now or ask unanimous consent, but I will do so at some point, probably tomorrow. I want to take this time to at least lay out the reasons for this amendment and what it does, because I know what the crunch will be tomorrow when we come back here.

The budget resolution for fiscal year 2006 basically eliminates funding for an enormously effective and popular education program called the Perkins Vocational and Technical Education Act. The straightforward purposes of my amendment, which I will offer for myself, Senator DURBIN, Senator MURRAY, and others, are, first, to restore funding to the Perkins Vocational Education Act; second, to reduce the deficit; and, third, to offset the costs by rescinding two tax-cut provisions in the 2001 tax cuts.

These tax-cut provisions, the so-called PEP and Pease phaseout provisions, are scheduled to start taking effect next year for the first time.

President Kennedy used to say that to govern is to choose. Right now the budget resolution chooses very unwisely. It eliminates funding for a critical education program, vocational education, while allowing to stand two new tax cuts. While these two new tax cuts cost $23 billion in the first 5 years, after that the costs explode. They will cost at least $146 billion in lost revenue in the coming decade, with 97 percent of the benefits going to those earning at least $200,000 a year.

This is the wrong choice. The budget resolution does not reflect the priorities of the American people. Overall, the budget resolution would cut funding for education, the first cut in education funding in 10 years. It underfunds the President’s No Child Left Behind Act by $12 billion. It leaves behind nearly 3 million children who could be fully funded and fully served if title I were funded at the authorized level. And, as I said, it eliminates all the funding for the Perkins Vocational Education Act.

This is one I am particularly concerned about. It is a program that was just reauthorized in the Senate on a bipartisan basis by a vote of 99 to 0. The Perkins Act makes possible a broad range of vocational and technical education programs for millions of young people and adults. It is a true line item for students at risk of dropping out of school.

For millions of these at-risk students, vocational education programs are relevant, and they are meaningful. They give kids a reason to stick it out until graduation, maybe to go on to a community college, and they lead to good, solid jobs.

In Iowa alone, elimination of the Perkins Vocational Education Program would impact 93,000 high school students and more than 37,000 community college students. The impact nationwide would be a disaster for millions of students.

We are eliminating the Perkins Vocational Education Program for two new tax cuts? Overwhelmingly for the most affluent? This makes no sense. In fact, it borders on the obscene. Our friends on the other side might claim the budget resolution does not expressly eliminate the vocational education program, but the reality is this budget resolution effectively endorses the budget proposed by President Bush, and President Bush endorsed eliminating the Perkins program.

So there are only two ways to retain funding for vocational education under this budget resolution: either cut other educational programs or increase the overall allocation for education.

This chart here shows what I mean. Right here basically you have a puzzle. We're all together. This is education. We have title I, we have after-school centers, we have special ed, bilingual ed, impact aid, Pell grants—all the things that make up our education plan.

What is left out? Vocational education, ed tech, TRIO, Safe and Drug-free Schools, arts education. These are left out.

Someone on the Budget Committee might say, we didn’t say that voc ed couldn’t be funded, but here are all the things we fund. If you want to put voc ed back into the puzzle, what do you take out? Because, you see, this is the limit. We only have this much money. If you put voc ed in, do we take the money away from title I or do we take it away from Pell grants? How about special ed; do we take money away from special ed to put it back in? Or do we make the square bigger and then put it in, so we don’t take anything away from the educational programs that are already there.

That is exactly what my amendment accomplishes. We add more overall funding to the educational budget. How do we do this? Where do we get the money? My amendment offsets the cost of restoring the Perkins program. It also reduces the deficit by rescinding two tax cuts that have not even taken effect yet. Both of these tax cuts, the so-called PEP and Pease phaseout provisions, were enacted in 2001 and they start next year.

We have a unique opportunity. We are not proposing to repeal or undo a tax cut that is already in effect. Everyone is saying that because of radically transformed budgetary circumstances—that is the huge debt we are in, the deficits we are running up—we are not going to go forward with new tax cuts that haven’t even taken effect yet, two new tax cuts we can no longer afford.

When PEP and Pease were put in in 2000, the argument was made that we had all of these budget surprises that were left over from President Clinton, and we could afford it. That was then and this is now.

Because of the surge in Federal spending, because of the deficits since President Bush has taken office, the surpluses left by President Clinton are gone. Instead, we are looking at projected deficits in excess of $200 billion a year, and annual deficits in excess of $500 billion a year decades from now, unless we straighten out our house.

It makes good sense to offset these two new tax cuts from going into effect next year—$146 billion that this will cost us over 10 years.
Who gets the gravy? Here it is right here. Under PEP and Pease, the tax cuts that start next year, for those making over $1 million, when they are phased in, $19,234 a year; $300,000 to $1 million, $4,000 a year; under $75,000 a year, nothing, zero.

In fact, if these two new tax cuts go into effect next year, 97 percent of all the benefits will go to people making over $200,000 a year. Fifty-four percent will go to people making over $1 million a year. We can’t afford these tax cuts.

There are two things we can’t afford. We can’t afford these tax cuts, and we can’t afford to underfund and to eliminate the Perkins vocational education bill.

We now have a unique opportunity to rescind these tax cuts before they even go into effect.

The Perkins program is a lifeline to low-income Americans struggling to obtain job skills, the essential rung on the ladder of opportunity. I also refer to this editorial that was in The Post, February 25 last month, “PEP, Pease, Presidents.”

As they said:

Given the deficits that have piled up on his watch, and the growing costs of war in Iraq, it makes sense to ask: Why does President Bush think this tax break is necessary?

It is not necessary. It hasn’t even started yet. I will lay 10 to 1 that not one Senator in this Senate on either side of the aisle has ever been contacted by someone making over $200,000 a year who says we have to it. Nonsense.

My amendment basically says we are not repealing these, we are just saying these won’t go into effect next year. We will save a lot of money. We will put that money into deficit reduction, and we will put the money into restoring Perkins funding.

We just recently voted 99 to 0 to authorize the Perkins program. Every Senator said, yes, we need vocational education. The President sends his budget out and says get rid of the whole thing, and this budget has the same money figures in it for education that Bush did in his proposals.

Now is our opportunity. We can vote to not let these tax cuts go into effect. We can do two good things: Reduce the deficit and make sure we continue with vocational education in this country.

I ask unanimous consent to have printed in the Record a copy of the Washington Post editorial.

There being no objection, the material was ordered to be printed in the Record.)

PEP, Pease, Presidents

Here’s a modest tax proposal for President Bush: Cancel two tax-cut provisions that haven’t yet taken effect. These tax cuts weren’t part of Mr. Bush’s original tax proposal but were inserted into his 2001 tax package. They begin to phase in next year unless Congress actuators of the cuts will go to the 4 percent of U.S. households with incomes greater than $200,000; more than half to the 0.2 percent of households with more than $1 million. During the first 10 years they are fully in effect, they will reduce government tax revenue by close to $200 billion, including interest, and more it, as the administration has promised, there are adjustments to the alternative minimum tax which would capture some of taxpayers’ savings from these breaks.

The cuts would repeal two provisions enacted as part of the first President Bush’s deficit reduction. The provisions, known as PEP, for Personal Exemption Phaseout, and Pease, for its author, the late Rep. Donald J. Pease (D-Ohio)—essentially make more income of wealthy Americans subject to taxation.

As they said:

Given the deficits that have piled up on his watch, and the growing costs of war in Iraq, it makes sense to ask: Why does President Bush think this tax break is necessary?

To reiterate, Mr. President, President Kennedy used to say that “to govern is to choose.” Right now, the budget resolution chooses very unwisely. It eliminates funding for a critical educational programs act, while allowing to stand two new tax cuts worth. While these two new tax cuts cost $23 billion in the coming 5 years, the costs explode after that. They will cost at least $146 billion in the coming decade—with 97 percent of the benefits going to those earning at least $200,000 a year.

This is the wrong choice. The budget resolution does not reflect the priorities of the American people. In fact, it doesn’t attend. Bush says are among his top priorities. Overall, the budget resolution would cut funding for education—the first cut in education funding in 10 years. It underfunds the President’s No Child Left Behind Act by $12 billion. It leaves behind nearly 3 million children who could be fully served by Title I if the program were funded at the authorized level. It underfunds special education by $3.6 billion. It further cuts 3 months after the President signed the IDEA reauthorization law. And it eliminates all funding for vocational education, school counselors, education technology, safe and drug-free schools, and 44 other education programs totaling over $4 billion.

I am particularly concerned that the budget resolution totally eliminates funding for the Perkins vocational education program—a program that was just reauthorized in Senate on a bi-partisan basis.

The Perkins Act makes possible a broad range of vocational and technical education programs for millions of young people and adults. Vocational education combines classroom instruction, hands-on-laboratory work, and on-the-job training. This is a true lifeline for students at risk of dropping out of school.

For millions of these at-risk students, vocational education programs are relevant. They are meaningful. They give kids a reason to stick it out until graduation and perhaps go on to community college. And they lead to good, solid jobs after graduation.

Just last week, I met with high school and community college students from Iowa who have benefited from Perkins funding. They are very, very inspired—and I hate to think of their fate if they had not been given the option of vocational and technical education. But that is exactly what will happen if the budget resolution is not changed.

In Iowa alone, elimination of the Perkins Vocational Education program would directly impact 9,000 high school students and more than 37,000 community college students. The impact nationwide would be a disaster for many millions of students.

And we are eliminating this program to make room for two new tax cuts, overwhelmingly for the most affluent? This makes no sense. In fact, it borders on the obscene.

Our friends on the other side of the aisle claim that the budget resolution doesn’t expressly eliminate the vocational education program. That is too clever by half. The reality is that the budget resolution effectively endorses the budget proposed by President Bush—and that means it endorses the elimination of Perkins funding.

There are only two ways to retain funding for vocational education under this budget resolution: By cutting other education programs instead . . . or by increasing the overall allocation for education.

This chart shows what I mean. The puzzle represents the Republican budget resolution. Unfortunately, there are a lot of pieces that don’t fit. There’s no room in the budget resolution for vocational education, technical education, TRIO, and many other programs. The only way to include funding for vocational education is to take out a different piece of the puzzle. So what pieces do the Republicans propose to take out in lieu of vocational education funding? Do they propose to take out Title I, Pell Grants? Special education?

The truth is that the only way we can be assured of saving Perkins funding is by adding more overall funding
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to the education budget for that purpose. And that is exactly what my amendment accomplishes. As I said, my amendment offsets the cost of restoring Perkins—and it reduces the deficit, as well—by rescinding what have not yet taken effect. Both of these tax cuts—the so-called PEP and Pease provisions—were enacted in 2001. One of these tax measures repeals the law enacted in 1990 that scales back the mortgage interest deduction for high-income taxpayers that can take. The second tax-cut measure repeals another provision enacted in 1990, under which the personal exemption is phased out for households with very high incomes. Under the 2001 tax cut legislation, these two current provisions of law begin to be phased out next year, and are eliminated entirely in 2010.

We have a unique opportunity, here, because we are not proposing to repeal or undo tax cuts that are already in effect. Rather, we are saying that—because of radically transformed budgetary circumstances—we are not going to go forward with two new tax cuts that have not yet taken effect... two new tax cuts that we can no longer afford.

When the PEP and Pease phase-out provisions were passed in 2001, a case could be made—I disagreed, but certainly could be made—that these tax cuts were affordable. Thanks to the budget surpluses that President Bush inherited from President Clinton, we were looking at cumulative surpluses of $5 trillion over the coming decade, enough to eliminate the national debt, and then some. The chairman of the Federal Reserve Board, Alan Greenspan, publicly worried about the impending surplus crisis—What in the world would we do with all these surpluses after we eliminated the national debt? President Bush and other advocates of the 2001 tax cuts assured us that they would total no more than $1.35 trillion between 2001 and 2010. Well that was then, and this is now. The tax cuts that were supposed to cost $1.35 trillion are now projected to cost more than $2 trillion in the decade after 2010. And because of the surge in federal spending since President Bush took office—including the creation of a huge new entitlement program—the surpluses bequeathed by President Clinton are gone. Instead, we are looking at projected deficits in excess of $200 billion each year as far as the eye can see—and annual deficits in excess of $500 billion a year a decade from now if we follow the President’s recommendations.

It makes good sense to eliminate these two tax cuts. The fact is, they are a ticking timebomb scheduled to detonate after 2010—a detonation that will further explode the deficits and debt. The revenue loss because of the PEP and Pease phase-outs would be a relatively modest $24 billion over the first 5 years. But the revenue loss explodes in the years after that. In the first 10 years after full implementation, the revenue loss will be a whopping $146 billion.

And who gets these tax cuts? According to the Tax Policy Center of the Urban Institute and the Brookings Institution, 54 percent of the benefits go do households making over $1 million a year. Fully 97 percent of benefits go to households making more than $200,000 per year.

What does that mean for a taxpayer? When the phase out is fully phased in by 2010, the tax cut will save the average taxpayer making over $1 million nearly $20,000 per year.

But almost no taxpayers making less than $150,000 will receive even a penny of tax cuts under these provisions.

These are two tax cuts that we cannot afford. They are two tax cuts that their beneficiaries do not need.

The deficits and debt are exploding because of actions by the President and Congress. To quote the cartoon character Pogo: “We have met the enemy, and he is us.” But we now have this unique opportunity to rescind two unnecessary and unaffordable tax cuts before they take effect.

Such a modest mid-course correction is exactly what President Ronald Reagan did in 1982. He realized that his 1981 tax cuts had overshot, and that they were projected to cause the kind of monster deficits we are experiencing today. President Reagan did the prudent and responsible thing: he pared back some of his tax cuts. Today, we need to show that same kind of restraint by not allowing the PEP and Pease provisions to go forward.

The difference, or course, is that President Reagan repealed tax cuts that had already taken effect. What we are proposing, today, is simply to not allow two new tax cuts to go forward—tax cuts that haven’t yet taken effect.

The Perkins program is a lifeline to low-income Americans struggling to obtain marketable job skills. It is an essential rung on the ladder of opportunity that we extend to our young people.

So I come back to President Kennedy’s remark that “to govern is to choose.” We can’t have it all. We must choose. And today we are confronted with this choice. We can go forward with these two new tax cuts, overwhelmingly for people who don’t need them, while eliminating Perkins funding for vocational education. Or we can say, “Two trillion dollars in tax cuts, mostly for the affluent, is surely enough. Let’s rescind these two new tax cuts before they go into effect. And let’s redirect that money to education... to giving millions of young American cans the vocational skills they need to succeed in the global economy.”

Certainly, all who favor creating an opportunity society should be in favor of this amendment. So should all who believe in basic fairness and equity.

Indeed, if all the millionaires who stand to benefit from these two new tax cuts were here in this chamber, today, and voting on this amendment, there is no doubt in my mind that the vast majority of them would vote “yes.” They would say, “We have already blessed us with wealth and comfort. By all means, withhold these latest tax cuts, and redirect that money to vocational education students so they can graduate, so they can have opportunity, so they can achieve the American dream as we did.”

Let’s restore Perkins funding and let’s reduce the deficit. I urge my colleagues to join me in a resounding, bipartisan vote on this amendment. We voted 99-0 to reauthorize the Perkins Act. Now let’s vote to keep this proven, effective program alive and thriving for millions of students across America.

I will close by saying I hope we will get this amendment up for a vote tomorrow so Senators can express themselves on it. I yield the floor.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 9 a.m. tomorrow.

Thereupon, the Senate, at 10:06 p.m., adjourned until Wednesday, March 16, 2005, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate March 15, 2005:

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

JAMES H. HILFAY, OF NEVADA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); PHILIP COYLE, OF CALIFORNIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); ADMIRAL HAROLD W. GERMAN, JR., UNITED STATES NAVY, RETIRED, OF VIRGINIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); GENERAL JAMES T. HILL, UNITED STATES ARMY, RETIRED, OF COLORADO, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); JAMES C. KICKLIGHTER, OF GEORGIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); JAMES H. BILBRAY, OF NEVADA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); JAMES V. RANSEN, OF UTAH, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); GENERAL JAMES T. HILL, UNITED STATES ARMY, RETIRED, OF FLORIDA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); CLAUDRE M. KICKLIGHTER, OF GEORGIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); CLAUDE M. KICKLIGHTER, OF GEORGIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); PHILIP COYLE, OF CALIFORNIA, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); SAMUEL KNOX SKINNER, OF ILLINOIS, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION); BRIGADIER GENERAL SUE ELLEN TURNER, UNITED STATES AIR FORCE, RETIRED, OF TEXAS, TO BE A MEMBER OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION (NEW POSITION).

Urban Institute and the Brookings Institution, the revenue loss will be a whop-
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2661–S2757

Measures Introduced: Eleven bills and four resolutions were introduced, as follows: S. 621–631, S.J. Res. 7–9, and S. Res. 82. Pages S2734–35

Measures Passed:

Welfare Reform Extension Act: Senate passed H.R. 1160, to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2005, clearing the measure for the President. Page S2754

Concurrent Budget Resolution: Senate continued consideration of S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010, taking action on the following amendments proposed thereto: Pages S2661–S2728

Adopted:

By a unanimous vote of 100 yeas (Vote No. 46), Graham Modified Amendment No. 152, to express the sense of the Senate regarding the urgent need for legislation to ensure the long-term viability of the Social Security program. Pages S2686–92

By 56 yeas to 43 nays (Vote No. 48), DeMint Amendment No. 150, to express the sense of the Senate that failing to address the financial condition of Social Security will result in massive debt, deep benefit cuts and tax increases. Pages S2685–86, S2692–93

Rejected:

By 46 yeas to 54 nays (Vote No. 50), Stabenow Amendment No. 147, to protect the American people from terrorist attacks by providing the necessary resources to our firefighters, police, EMS workers and other first-responders by restoring $1,626 billion in cuts to first-responder programs. Pages S2678–80, S2693–94

Pending:

Byrd Amendment No. 158, to provide adequate funding of $1.4 billion in fiscal year 2006 to preserve a national intercity passenger rail system. Pages S2694–S2706

Cantwell Amendment No. 168, to strike section 201(a)(4) relative to the Arctic National Wildlife Refuge. Pages S2716–20

Akaka Amendment No. 149, to increase veterans medical care by $2.8 billion in 2006. Pages S2720–24

Ensign Amendment No. 171, to increase veterans medical care by $410,000,000 in fiscal year 2006. Pages S2724–28

A unanimous-consent agreement was reached providing for further consideration of the resolution at 9 a.m., on Wednesday, March 16, 2005, and that Senator Feinstein be recognized for up to 20 minutes; that Senator Specter be recognized to offer an amendment relative to the National Institutes of Health (NIH), on which there will be 45 minutes for debate equally divided; that following that debate, the Senate begin 90 minutes of debate equally divided in relation to the Cantwell Amendment No. 168 (listed above); that there then be 45 minutes equally divided for debate relative to Ensign Amendment No. 171 (listed above) and Akaka Amendment No. 149 (listed above); and that at 1 p.m., the Senate vote on, or in relation to, certain amendments. Page S2755

Appointments:

President’s Export Council: The Chair, pursuant to Executive order 12131, as amended, appointed the following Members to the President’s Export Council: Senators Baucus and Dorgan. Page S2754

National Council on the Arts: The Chair, on behalf of the Democratic Leader, pursuant to Public
Law 105–63, announced the appointment of the following individual to serve as members of the National Council on the Arts: Senator Leahy, vice Senator Reid.

Nominations Received: Senate received the following nominations:

James H. Bilbray, of Nevada, to be a Member of the Defense Base Closure and Realignment Commission.

Philip Coyle, of California, to be a Member of the Defense Base Closure and Realignment Commission.

Admiral Harold W. Gehman, Jr., United States Navy, Retired, of Virginia, to be a Member of the Defense Base Closure and Realignment Commission.

James V. Hansen, of Utah, to be a Member of the Defense Base Closure and Realignment Commission.

General James T. Hill, United States Army, Retired, of Florida, to be a Member of the Defense Base Closure and Realignment Commission. (Position)

Claude M. Kicklighter, of Georgia, to be a Member of the Defense Base Closure and Realignment Commission.

Samuel Knox Skinner, of Illinois, to be a Member of the Defense Base Closure and Realignment Commission.

Brigadier General Sue Ellen Turner, United States Air Force, Retired, of Texas, to be a Member of the Defense Base Closure and Realignment Commission.

SCHOOL NUTRITION PROGRAMS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine school nutrition programs, focusing on the elimination of reduced price meals, the Summer Food Service Program, and nutrition education and promotion, after receiving testimony from Senator Dole; Dora Rivas, Dallas Independent School District, Dallas, Texas; Annette Bomar Hopgood, Georgia Department of Education, Atlanta; Karen Johnson, Child Nutrition Programs, Yuma, Arizona, on behalf of the School Nutrition Association; and Ruth Jonen, Hoffman Estates, Palatine, Illinois.

APPROPRIATIONS: DEPARTMENT OF VETERANS AFFAIRS

Committee on Appropriations: Subcommittee on Military Construction and Veterans’ Affairs concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Veterans Affairs, after receiving testimony from R. James Nicholson, Secretary, Jonathan B. Perlin, Acting Under Secretary for Health, Veterans’ Health Administration, Vice Admiral Daniel L. Cooper (USN Ret.), Under Secretary for Benefits, Veterans Benefits Administration, Richard A. Wannemacher, Acting Under Secretary for Memorial Affairs, National Cemetery Administration, Tim McClain, General Counsel, and Rita A. Reed, Deputy Assistant Secretary for Budget, all of the Department of Veterans Affairs.

APPROPRIATIONS: DEPARTMENT OF LABOR

Committee on Appropriations: Subcommittee on Labor, Health, and Human Services, Education, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Labor, after receiving testimony from Elaine L. Chao, Secretary of Labor.

APPROPRIATIONS: DEPARTMENT OF TRANSPORTATION

Committee on Appropriations: Subcommittee on Transportation, Treasury, Judiciary and Housing and Urban Development concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Transportation, after receiving testimony from Norman Y. Mineta, Secretary of Transportation.
APPROPRIATIONS: DEPARTMENT OF ENERGY


DEFENSE AUTHORIZATION: MILITARY STRATEGY

Committee on Armed Services: Committee concluded a hearing to examine military strategy and operational requirements from combatant commanders in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from General Bantz J. Craddock, USA, Commander, U.S. Southern Command; and Admiral Timothy J. Keating, USN, Commander, U.S. Northern Command.

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of Anthony Joseph Principi, of California, to be a Member of the Defense Base Closure and Realignment Commission, after the nominee testified and answered questions in his own behalf.

HERITAGE AREA BILLS

Committee on Energy and Natural Resources: Subcommittee on Nationals Parks concluded a hearing to examine S. 175, to establish the Bleeding Kansas and Enduring Struggle for Freedom National Heritage Area, S. 322, to establish the Champlain Valley National Heritage Partnership in the States of Vermont and New York, S. 323, to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System, and S. 429, to establish the Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, after receiving testimony from Janet Snyder Matthews, Associate Director, Cultural Resources, National Park Service, Department of the Interior; James Baker, Missouri Department of Natural Resources, St. Genevieve; Judy Billings, Kansas Chamber of Commerce, Convention and Visitors Bureau, Lawrence; Ronald D. Jones, Upper Housatonic Valley National Heritage Area, Inc., Salisbury, Connecticut; Ann Cousins, Preservation Trust of Vermont, Burlington; John W. Cosgrove, Alliance of National Heritage Areas, Scranton, Pennsylvania; and J. Peyton Knight, American Policy Center, and American Land Rights Association, Warrenton, Virginia.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Howard J. Krongard, of New Jersey, to be Inspector General, Department of State, after the nominee answered questions in his own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Joseph R. DeTrani, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for the Six Party Talks, John Thomas Schieffer, of Texas, to be Ambassador to Japan, who was introduced by Senator Hutchison, and Christopher R. Hill, of Rhode Island, to be an Assistant Secretary of State for East Asian and Pacific Affairs, after each nominee testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the nominations of Howard J. Krongard, of New Jersey, to be Inspector General, Department of State, Joseph R. DeTrani, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for the Six Party Talks, John Thomas Schieffer, of Texas, to be Ambassador to Japan, Christopher R. Hill, of Rhode Island, to be an Assistant Secretary of State for East Asian and Pacific Affairs, R. Nicholas Burns, of Massachusetts, to be an Under Secretary of State for Political Affairs, C. David Welch, of Virginia, to be an Assistant Secretary of State for Near Eastern Affairs, John B. Bellinger, of Virginia, to be Legal Adviser of the Department of State, David B. Balton, of the District of Columbia, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary of State for Oceans and Fisheries, Rudolph E. Boschwitz, of Minnesota, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations, and promotion lists in the Foreign Service.

NATIONAL SECURITY PERSONNEL SYSTEM

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded an oversight hearing to examine ensuring the success of the National Security

OPEN GOVERNMENT ACT

Committee on the Judiciary: Subcommittee on Terrorism, Technology and Homeland Security concluded a hearing to examine S. 394, to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (the OPEN Government Act), and S. 589, to establish the Commission on Freedom of Information Act Processing Delays, after receiving testimony from Katherine M. Missy Cary, Office of the Texas Attorney General, Austin; Mark Tapscott, The Heritage Foundation, Lisa Graves, American Civil Liberties Union, Meredith Fuchs, George Washington University National Security Archive, and Thomas M. Susman, Ropes and Gray LLP, all of Washington, D.C.; and Walter Mears, Chapel Hill, North Carolina.

TELECOMMUNICATIONS INDUSTRY Mergers

Committee on the Judiciary: Committee concluded a hearing to examine the SBC/ATT and Verizon/MCI mergers relating to remaking the telecommunications industry, after receiving testimony from Edward E. Whitacre, Jr., SBC Communications Inc., San Antonio, Texas; Ivan G. Seidenberg, Verizon Communications, Inc., New York, New York; David Dorman, AT&T Corporation, Bedminster, New Jersey; and Michael D. Capellas, MCI, Inc., Ashburn, Virginia.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

RETIREMENT

Special Committee on Aging: Committee concluded a hearing to examine the economics of retirement, focusing on the aging population, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve Board.

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House of Representatives

Chamber Action


Additional Cosponsors: Pages H1509–10

Reports Filed: Report were filed today as follows: H. Res. 154, providing for consideration of H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 (H. Rept. 109–19).

Speaker: Read a letter from the Speaker wherein he appointed Representative Porter to act as Speaker pro tempore for today.

Chaplain: The prayer was offered today by Most Rev. Edward J. Slattery, Bishop, Diocese of Tulsa, Oklahoma.

Recess: The House recessed at 9:17 a.m. and reconvened at 10 a.m.

Agreed by unanimous consent to limit further amendments offered and the time for debate on such amendments.

Agreed to:

Moran of Virginia amendment that reduces and then increases by the same amount, the funding for Operation and Maintenance, Defense–Wide; and

Jackson of Illinois en bloc amendment that increases funding for International Disaster & Famine Assistance and Migration & Refugee Assistance; and

Maloney amendment that increases funding for the Tsunami Recovery and Reconstruction Fund; and

Upton of Michigan amendment that prohibits the use of funds for embassy security, construction, and maintenance (by a recorded vote of 258 ayes to 170 noes, Roll No. 73).

Rejected:

Tancredo amendment that sought to prohibit the use of funds in Title IV, Chapter 1 to provide emergency relief, rehabilitation or reconstruction aid;

Tierney amendment that sought to increase the funding for Operation and Maintenance, Defense–Wide (by a recorded vote of 191 ayes to 236 noes, Roll No. 72);

Weiner amendment that sought to prohibit the use of funds to finance any assistance to Saudi Arabia (agreed to limit time for debate on the amendment) (by a recorded vote of 196 ayes to 231 noes, Roll No. 74); and

Weiner amendment that sought to prohibit the use of funds for assistance to the Palestinian Authority or for programs, projects, and activities in the West Bank or Gaza.

Withdrawn:

Woolsey amendment that was offered and subsequently withdrawn that would have increased funding for reserve personnel in all branches of the Armed Forces, and for the Army and Air Force National Guard;

Garrett of New Jersey amendment that was offered and subsequently withdrawn that would have inserted a new section at the end of the bill regarding Offsetting Government-Wide Rescission;

Kelly amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to provide assistance to the Government of the Federal Republic of Nigeria;

Lantos amendment (No. 4 printed in the Congressional Record of March 14) that was offered and subsequently withdrawn that would have added a title VII to the measure, entitled Hope at Home Act; and

Markey amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to implement any regulation reducing the total amount of monthly military pay for a member of the Armed Forces who is wounded or otherwise injured while assigned to duty in an area for which special pay is available.

Point of Order sustained against:

Tierney amendment that sought to establish a select committee to investigate reconstruction efforts in Iraq and Afghanistan;

Jackson-Lee of Texas amendment (No. 3 printed in the Congressional Record of March 14) that sought to increase funding for Immigration and Customs Enforcement;

Filner amendment that sought to provide funding for the Veterans’ Health Administration (agreed to sustain the ruling of the chair by a recorded vote of 224 ayes to 200 noes, Roll No. 71); and

Reyes en bloc amendment that sought to provide funding for veterans’ health-care programs, and adds a Title VII to the bill regarding the Department of Homeland Security.

H. Res. 151, the rule, providing for consideration of the bill was agreed to by voice vote.

Agreed to the Cole amendment by voice vote.

Earlier it was agreed to order the previous question on the resolution the amendment, by a yea-and-nay vote of 220 yeas to 195 nays, Roll No. 69.

Privileged Resolution: The House agreed to table H. Res. 153, relating to a question of privileges of the House, by a recorded vote of 223 ayes to 194 noes, Roll No. 70.

Quorum Calls—Votes: One yea-and-nay vote and five recorded votes developed during the proceedings of the House today and appear on pages H1434–36, H1435–36, H1478, H1486, H1486–87, and H1487–88. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 7:31 p.m.

Committee Meetings

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Homeland Security held a hearing on Customs and Border Protection. Testimony was
heard from Robert Bonner, Commissioner, Customs and Border Protection, Department of Homeland Security.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on Health Resources and Services Administration. Testimony was heard from Elizabeth James Duke, Administrator, Health Resources and Services Administration, Department of Health and Human Services.

ENERGY AND WATER DEVELOPMENT AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Department of Energy—Science, Nuclear Energy and Renewable Energy/Conservation. Testimony was heard from the following officials of the Department of Energy: Raymond L. Orbach, Director, Office of Science; William D. Magwood, IV, Director, Office of Nuclear Energy, Science and Technology; and David K. Garman, Assistant Secretary, Office of Energy Efficiency and Renewable Energy.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies continued appropriation hearings. Testimony was heard from Members of Congress.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Readiness held a hearing on the Fiscal Year 2006 National Defense Authorization budget request for Military Construction, Family Housing, Base Closures, and Facilities Operations and Maintenance. Testimony was heard from the following officials of the Department of Defense: Philip Crone, Deputy Under Secretary, Installations and Environment; Geoffrey G. Prosch, Principal Deputy Assistant Secretary, Army, Installations and Environment; B. J. Penn, Assistant Secretary, Navy, Installations and Environment; and Fred W. Kuhn, Deputy Assistant Secretary, Air Force, Installations.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

MISSILE DEFENSE PROGRAMS

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request for Missile Defense Programs. Testimony was heard from the following officials of the Department of Defense: LTG Treu Obering, USAF, Director, Missile Defense Agency; LTG Larry J. Dodgen, USA, Commander, U.S. Army Space and Missile Defense Command; and David W. Duma, Acting Director, Operational Test and Evaluation.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Fiscal Year 2006 National Defense Authorization budget request—Department of Defense responsibilities in homeland defense and homeland security missions. Testimony was heard from the following officials of the Department of Defense: Paul McHale, Assistant Secretary, Homeland Defense; ADM Timothy Keating, USN, Commander, North American Aerospace Defense Command and United States Northern Command; and LTG H. Steven Blum, USA, Chief, National Guard Bureau.

WELFARE REFORM: REAUTHORIZATION OF WORK AND CHILD CARE

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness held a hearing entitled “Welfare Reform: Reauthorization of Work and Child Care.” Testimony was heard from Wade F. Horn, Assistant Secretary, Children and Families, Department of Health and Human Services; and public witnesses.
PROTECTING CONSUMERS' DATA

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled “Protecting Consumers’ Data: Policy Issues Raised by ChoicePoint.” Testimony was heard from Deborah Platt Majoras, Chairman, FTC; and public witnesses.

REGULATION NMS: THE SEC’S VIEW

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled “Regulation NMS: The SEC’s View.” Testimony was heard from William H. Donaldson, Chairman, SEC.

OVERSIGHT—UNITED NATIONS REFORM


PROTECTION OF LAWFUL COMMERCE ON ARMS ACT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 800, Protection of Lawful Commerce in Arms Act. Testimony was heard from public witnesses.

OVERSIGHT—DEPARTMENT OF HOMELAND SECURITY

Committee on the Judiciary: Subcommittee on Crime, Terrorism and Homeland Security held an oversight hearing on the Department of Homeland Security to Examine the Security of the Nation’s Seaports and the Cargo Entering Those Ports. Testimony was heard from the following officials of the Department of Homeland Security: Jayson P. Ahern, Assistant Commissioner, U.S. Customs and Border Protection; and RADM Larry Hereth, USCG, Director, Port Security; Jeff Keever, Deputy Executive Director, Port Authority, State of Virginia; and a public witness.

OVERSIGHT—ELECTRICITY SYSTEM IMPROVEMENT

Committee on Resources: Subcommittee on Water and Power held an oversight hearing on the Power Marketing Administrations’ Role in Bringing Our Nationwide Electricity Transmission System into the 21st Century. Testimony was heard from the following Administrators of the Power Administrations, Department of Energy: Charles A. Borchardt, Southeastern Power Administration; Michael A. Deihl, Southwestern Power Administration; Michael S. Hacskaylo, Western Area Power Administration; and Stephen J. Wright, Bonneville Power Administration.

CONCURRENT RESOLUTION ON THE BUDGET, FY 2006

Committee on Rules: Granted, by voice vote, a structured rule providing 5 hours of general debate on H. Con. Res. 95, Concurrent Resolution on the Budget, FY 2006, with 4 hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, and one hour on the subject of economic goals and policies equally divided and controlled by Representative Saxton of New Jersey and Representative Maloney of New York or their designees. The rule waives all points of order against consideration of the concurrent resolution. The rule provides that the concurrent resolution shall be considered for amendment under the five-minute rule and that the concurrent resolution shall be considered as read. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution which 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, and shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House and in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report, except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. The rule permits the chairman of the Budget Committee to offer amendments in the House to achieve mathematical consistency. The rule provides that the concurrent resolution shall not be subject to a demand for division of the question of its adoption. The rule provides that after passage of H. Con. Res. 95, it shall be in order to consider in the House S. Con. Res. 18, to move to strike all after the resolving clause of S. Con Res. 18, and to insert the provisions of H. Con. Res. 95, as passed by the House. Finally, the rule waives all points of order against S. Con. Res. 18, against its consideration, and against the motion to strike and insert. Testimony was heard from Chairman Nussle and Representatives Shays, Flake, Spratt, Cooper, Scott of Virginia, Stupak, Brown of Ohio, Harman, and Jackson-Lee of Texas.

MISCELLANEOUS MEASURES

Committee on Science: Subcommittee on Environment, Technology, and Standards approved for full Committee action the following bills: H.R. 50, amended, National Oceanic and Atmospheric Administration

OVERSIGHT—LASERS

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Lasers: A Hazard to Aviation Safety and Security? Testimony was heard from Nicholas A. Sabatini, Associate Administrator, Aviation Safety, FAA, Department of Transportation; and public witnesses.

MEASURING PHYSICIAN QUALITY AND EFFICIENCY OF CARE IN MEDICARE

Committee on Ways and Means: Subcommittee on Health held a hearing on Measuring Physician Quality and Efficiency of Care in Medicare. Testimony was heard from Herb Kuhn, Director, Center for Medicare Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

PERSONAL RESPONSIBILITY, WORK, AND FAMILY PROTECTION ACT OF 2005


BUDGET HEARING

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on the Budget. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 16, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2006 for the Navy, 10 a.m., SD–192.

Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine proposed budget estimates for fiscal year 2006 for the Department of Health and Human Services, 10:30 a.m., SD–138.

Subcommittee on Military Construction, to hold hearings to examine proposed budget estimates for fiscal year 2006 for the Army and Air Force, 2 p.m., SD–138.


Subcommittee on Strategic Forces, to hold hearings to examine national security space policy and programs in review of the Defense Authorization request for fiscal year 2006, 3 p.m., SR–232A.

Full Committee, to receive a closed briefing regarding Improvised Explosive Devices (IED), focusing on the evolving IED threat and the Department of Defense’s approach to addressing this issue, 4:30 p.m., SR–222.

Committee on Energy and Natural Resources: business meeting to consider pending calendar business, 11:30 a.m., SD–366.


Committee on Finance: to hold hearings to examine expiring tax provisions, 10 a.m., SD–628.

Committee on Foreign Relations: to hold hearings to examine the lifting of the European Union arms embargo on China, 2:30 p.m., SD–419.

Committee on the Judiciary: Subcommittee on Constitution, Civil Rights and Property Rights, to hold hearings to examine obscenity prosecution and the constitution, 3 p.m., SD–226.

Select Committee on Intelligence: to hold a closed briefing on intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, hearing to Review United States Agricultural Trade with Cuba, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agricultural, Rural Development, Food and Drug Administration, and Related Agencies, on Under Secretary for Marketing and Regulatory Programs, 2 p.m., 2362A Rayburn.


Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies, on DEA, 2 p.m., H–309 Capitol.

Committee on Armed Services, to continue hearings on the Fiscal Year 2006 National Defense Authorization budget request, 10 a.m., 2118 Rayburn.

Subcommittee on Military Personnel, hearing on Recruiting, Retention and Military Personnel Policy, and Benefits and Compensation Overview, 2 p.m., 2212 Rayburn.


Committee on Education and the Workforce, to mark up H.R. 525, Small Business Health Fairness Act of 2005, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing on Problems with the E-rate Program: GAO Review of FCC Management and Oversight, 2 p.m., 2123 Rayburn.

Subcommittee on Telecommunications and the Internet, hearing entitled “How Internet Protocol-Enabled
Services are Changing the Face of Communications: A
Look at the Voice Marketplace,” 10 a.m., 2123 Rayburn.

Committee on Financial Services, to consider the following measures: H.R. 458, Military Personnel Financial Services Protection Act; H.R. 749, Expanded Access to Financial Services Act of 2005; H.R. 280, Brownfields Redevelopment Enhancement Act; H.R. 804, To exclude from consideration as income certain payments under the national flood insurance program; H.R. 1057, True American Heroes Act; and H.R. 902, Presidential $1 Coin Act, 10 a.m., 2128 Rayburn.

Committee on Government Reform, to consider the following: an Oversight Plan for the 109th Congress; H. Res. 142, Supporting the goals and ideals of a “Rotary International Day” and celebrating and honoring Rotary International on the occasion of its centennial anniversary; and H. Res. 148, Supporting the goals and ideals of Financial Literacy Month; followed by a hearing entitled "Service Oriented Streamlining: Rethinking the Way GSA Does Business,” 10 a.m., 2154 Rayburn.

Subcommittee on Energy and Resources, oversight hearing entitled “Energy Demands in the 21st Century: Are Congress and the Executive Branch Meeting the Challenge?” 2 p.m., 2203 Rayburn.

Subcommittee on Government Management, Finance, and Accountability, hearing entitled “Strengthening Travel Reimbursement Procedures for Army National Guard Soldiers,” 2 p.m., 2247 Rayburn.

Committee on House Administration, to continue consideration of funding requests for the Committees of the House, 1:15 p.m., 1310 Longworth.

Committee on International Relations, hearing on Libya: Progress on the Path Toward Cautious Reengagement, 10:30 a.m., 2172 Rayburn.

Subcommittee on Africa, Global Human Rights and International Operations, oversight hearing on Northern Ireland Human Rights: Update on the Cory Collusion Inquiry Reports, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, to mark up the following measures: S. 256, Bankruptcy Abuse Prevention and Consumer Protection Act of 2005; and H. Res. 136, Directing the Attorney General and the Secretary of Homeland Security to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of those officials relating to the security investigations and background checks relating to granting access to the White House of James D. Guckert (also known as Jeff Gannon), 10 a.m., 2141 Rayburn.

Subcommittee on the Constitution, hearing on H.R. 1151, to amend title 28, United States Code, to provide the protections of habeas corpus for certain incapacitated individuals whose life is in jeopardy, 2 p.m., 2141 Rayburn.


Committee on Science, Subcommittee on Space and Aeronautics, hearing on the Future of Aeronautics at NASA, 10 a.m., 2318 Rayburn.


Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, oversight hearing on Member Project Requests for the Water Resources Development Act of 2005, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, hearing on the President’s Fiscal Year 2006 Budget for the Department of Labor, 10:30 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on the Budget, 1:30 p.m., H–405 Capitol.
Next Meeting of the SENATE
9 a.m., Wednesday, March 16

Senate Chamber
Program for Wednesday: Senate will continue consideration of S. Con. Res. 18, Concurrent Budget Resolution, and at 1 p.m., vote on, or in relation to, certain amendments.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, March 16

House Chamber