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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 15, 2005.

I hereby appoint the Honorable JEB BRADLEY to act as Speaker pro tempore on this day.

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

PRAYER

Dr. Edward D. Johnson, Senior Pastor, First Baptist Church of Ocala, Ocala, FL, offered the following prayer:

Dear Father, I thank You for each Member of the House of Representatives. I thank You for the sacrifice they give in order to represent our communities; time spent away from their families, time spent here in Washington and time spent in serving others. I am aware of the enormity of their responsibility in making decisions about issues that not only affect our incomes, but also affect our national security, our moral well-being and our precious freedoms as a nation.

I pray that You would bless these men and women with physical health, mental acuity, moral toughness and spiritual peace. You have established us as a ''nation under God.'' You have reminded us that in Your Word, ''Blessed is the nation whose God is the Lord.'' Heavenly Father, we ask for Your continued blessing on our Nation and for peace and prosperity to abound through our land.

As a Christian, while I make this prayer in the name of Jesus Christ, I know that many others approach prayer in a different manner. We all ask for Your blessings and for Your grace for our lives. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. NADLER 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 DR. EDWARD D. JOHNSON, SENIOR PASTOR, FIRST BAPTIST CHURCH OF OCALA, OCALA, FL, TO THE HOUSE OF REPRESENTATIVES

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

Mr. STEARNS. Mr. Speaker, it is with a great deal of delight and an honor for me to have my pastor, Dr. Ed Johnson, provide the opening prayer for the House of Representatives this morning. We were privileged today to hear his brief words of inspiration and guidance.

Dr. Johnson is the Senior Pastor of the First Baptist Church of Ocala, FL, my hometown. This is a thriving church, and one of the largest in Marion County. My wife and I attend with our family, and we enjoy the warm and welcoming atmosphere.

Pastor Johnson has been with the First Baptist Church for 22 years, where he and his wife Hilda remain active in helping throughout our community. Before arriving in Ocala, Dr. Johnson served in churches in Texas, Tennessee and West Virginia.

While attending to the needs of his flock, Pastor Johnson has served as president of the Florida Baptist Convention, chairman of the Florida Baptist State Board of Missions and the chairman of the Board of Trustees of New Orleans Baptist Theological Seminary. Although this is a distinguished record of service, more importantly, he is a respected man of the Lord.

I appreciate this opportunity to share Pastor Johnson's wisdom with my colleagues this morning, and I look forward, Mr. Speaker, to taking him to the White House for the picnic.

HELPING SMALL BUSINESSES BY KEEPING REGULATIONS FAIR

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

Mrs. KELLY. Mr. Speaker, I rise today seeking support for H.R. 1167, which I introduced to enable Congress to better scrutinize laws and regulations imposed on America's small businesses.

In New York's Hudson Valley I represent small business owners who tell me time and again that unnecessary paperwork and unreasonable government regulations are the most severe problem they face at work each day.

Our Nation's small businesses create 7 out of 10 new jobs and are the primary engine of economic growth for our communities. However, the burden of regulatory compliance on these same small businesses is as much as 50 percent greater than it is for larger companies. It costs the average small business almost $7,000 per employee each year. Small businesses should be

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able to use this money to hire new employees to better serve their customers. Instead, they lose it because they are complying with excessive regulation.

Mr. Speaker, it is time for this body to take a strong stand in support of our small businesses in the Hudson Valley and throughout the country. By passing my legislation, we can improve the transparency of regulatory decisions from our Federal agencies.

Congress and the GAO must fully evaluate unfair costs and impacts on small businesses before new rules are implemented. Please help our small businesses and keep regulations fair by cosponsoring H.R. 1167.

REPUBLICANS NOT CREATING JOBS

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

Mr. NADLER. Mr. Speaker, job creation under the Bush administration remains disappointing, despite 3 years of economic recovery. Last month the economy created only 78,000 jobs. There are fewer private sector jobs in the United States today than there were in January 2001 when President Bush took office. In fact, the economy must still create an additional 24,000 jobs just to get back to where we were in 2001. In the Clinton years we created 23 million new jobs. We did not lose private sector jobs.

Also on this President's watch, our economy has lost 2.8 million manufacturing jobs, including 7,000 more last month. The weakness of the job market is also showing up in the continued stagnation of workers' earnings. Today, on average, workers' hourly wages are down 1 percent from last year if you factor in inflation. That means workers are taking home less, at a time when their health care, education and gas bills are skyrocketing.

Mr. Speaker, Republicans had their chance to jump-start the economy. For 4 years they have been cutting taxes for the wealthiest few in the hopes that jobs and higher salaries would trickle down to the middle class. It has not happened.

Mr. Speaker, it is time for a new approach.

SOCIAL SECURITY PRIVATE ACCOUNTS

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

Mr. MILLER of Florida. Mr. Speaker, talk of bipartisanship in legislating real solutions for the American people must have been just that; talk. The 109th Congress commenced just 6 months ago, and some Members on the other side of the aisle are still scheming on how to derail practical solutions for reforming Social Security.

One promising proposal, the creation of personal retirement accounts, has already been taken off the table by the Democrats before genuine debate has even begun. I believe that younger workers should have the opportunity to plan for a higher retirement income than that which the current system would allow. Workers retiring after about 2042 can only expect to receive about 73 percent or less of what they are being promised today.

I hear from my constituents daily about broken promises by our government. Personal accounts are a perfect example of a way we can give the American public control of their hard-earned income and avoid broken promises to its people.

Mr. Speaker, it is only fair to working Americans that we have true debate on Social Security reform before tossing out so-called partisan ideas.

TRIBUTE TO THE LATE STAFF SERGEANT JUSTIN LEE VASQUEZ

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

Mr. SALAZAR. Mr. Speaker, I stand here today to pay tribute to and recognize Army Staff Sergeant Justin Lee Vasquez. Sgt. Vasquez was killed in the line of duty while serving his country in Iraq. Justin Vasquez was proud of his service in the Army and willingly wore his country's uniform. We should honor his dedication, courage and leadership.

Each day men and women in the Armed Forces willingly face unknown dangers in the hope to bring peace and prosperity to those in need. We must not forget the individual stories of these soldiers who have served our country with courage and honor.

Justin Vasquez was from Manzanola, Colorado. He played football in high school and loved to hunt and fish with his family. He was known throughout his squadron as being a dedicated leader who always wanted to help other people.

Justin Vazquez was serving his second tour of duty. He was given the option not to return to Iraq. Instead, he returned, because he did not want to leave his men alone.

On Sunday, June 5, 2005, Staff Sergeant Justin Lee Vasquez was killed when his military convoy was attacked.

Justin Vasquez made the ultimate sacrifice by courageously and honorably serving his country. To him it was everything to be a soldier.

My heart goes out to Justin's parents Vicki and Tino, his wife Riley, and his son Justin. The Vasquez family has demonstrated exceptional selflessness and courage in such trying times.

Mr. Speaker, I submit this recognition to the United States House of Representatives in honor of their sacrifice, so that Justin Lee Vasquez may live on in memory.

RECOGNIZING THE SACRIFICE MADE BY LANCE CORPORAL AARON MANKIN

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

Mr. BOOZMAN. Mr. Speaker, I rise today to recognize the sacrifice made by Lance Corporal Aaron Mankin of Rogers, Arkansas. I grew up with Aaron's father Steve, and my children grew up with Aaron. They are a wonderful family.

Last month Aaron, a photographer and writer for the Public Affairs Office at Camp Fallujah, was badly wounded while serving in Iraq. He suffered intense burns and major lung damage when the armored vehicle he was traveling in ran over a land mine in Northern Iraq.

I had been in Fallujah several weeks before, and by chance Aaron saw I was there. He actually showed us around, and I cannot tell you how proud I was of him and how proud he was of being a marine serving his country in Iraq.

Aaron was sent to Brook Army Medical Center in San Antonio and placed in the ICU. The damage to his lungs was so extensive that he was placed on a ventilator. He had third-degree burns on his arms and had to have his thumb and two-thirds of his index finger on his right hand amputated.

Aaron's will to persevere is strong though, Mr. Speaker. He is off the ventilator, and he recently took his first steps since the accident. He has told his parents that he is looking forward to rejoining his fellow marines after rehab, and because of the Lord and His blessing, the doctors at Brook Army Medical Center feel positive about his chances of doing that.

Mr. Speaker, at the young age of 23, Aaron has made a tremendous sacrifice for his country. He is a true American hero. I ask my colleagues to keep Aaron and his family in their thoughts and prayers as he continues down the path of recovery.

HOUSE MUST TAKE UP CHEMICAL SECURITY IMMEDIATELY

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

Mr. PALLONE. Mr. Speaker, today the Committee on Homeland Security will hold a hearing on chemical security, something that has been put off for far too long.

It has almost been 4 years since the attacks of September 11 showed us just how determined terrorists are to attack us. In that time the House has taken action to deal with nuclear security, cybersecurity, port security, border security and airline security, just to name a few. But we have yet to deal with chemical security, something that Richard Falkenrath, a former Bush administration official working on homeland security, called ''uniquely deadly,

pervasive, and susceptible to terrorist attack.''

Imagine a terrorist blowing up a chemical storage facility and releasing a cloud of toxic gas, threatening the lives of millions of Americans.

The time to act is now, and that is why I have introduced the Chemical Security Act. I am glad the Committee on Homeland Security has started this process, but it cannot stop there. My own committee, the Committee on Energy and Commerce, which has jurisdiction over chemical security, must now follow suit, because the consequences of inaction are just too great.

SUPPORT THE HYDE U.N. REFORM ACT OF 2005

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

Ms. ROS-LEHTINEN. Mr. Speaker, tomorrow the House will consider a very important bill that aims to institute long overdue United Nations reform. It is tragic that at a time of numerous scandals that have characterized the U.N. over the past decade, we can see that they have been no accidents. Rather, they have been the result of a flawed structure that gives rise to passing the buck at best, and corruption, profiteering and collusion at worst.

The litany of scandals reads like a rogues gallery, everything from sexual misconduct, rape and sex trafficking to embezzlement, fraud and general mismanagement. Other examples include the notorious oil-for-food scandal or the U.N.'s egregious record of the mistreatment of the State of Israel.

□ 1015

It is clear that at a time when the international landscape is polluted by enemies of freedom who have no interest in world order, the U.N. must seek to distinguish itself by its integrity and leadership, rather than by its misdeeds.

We must save the United Nations from itself. Let us render our strong support for the Henry Hyde United Nations Reform Act of 2005 before us tomorrow.

STRENGTHEN OUR SCHOOLS

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

Ms. WOOLSEY. Mr. Speaker, many of the children with the greatest capacity to learn will not be finishing their school year because they did not have a school year. I am talking about children under 5 who are often left behind because too few States offer universal, voluntary, State-funded, pre-K programs.

Democrats believe every parent who wants to send a young child to pre-K should have that opportunity, regardless of their income. Democrats are committed, as part of our ''Democrats' New Partnership for America's Future,'' to working with States to establish, expand, or improve high-quality, pre-K programs.

The bottom line is: pre-K works. Children who participate are more likely to excel academically, go to college, and hold a secure job, and less likely to require special education, to have delinquency problems, or slip into welfare dependency.

This is the educational equivalent of preventive health care. As childhood immunizations allow us to avoid debilitating illness, similarly, high-quality pre-K reduces the need for remedial efforts and produces more successful adults.

Like all educational issues, this is fundamentally an economic issue. High-quality pre-K is a desperately needed investment in our children, their future, and our Nation's economic strength.

Mr. Speaker, our global competitors do not wait until children turn 5 to begin their formal education. Why should we?

AMBASSADOR EVANS DESERVES THE AWARD

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

Mr. PITTS. Mr. Speaker, the U.S. Ambassador to Armenia, John Evans, recently received an award from the American Foreign Service Association for constructive dissent that is intended to ''foster creativity and intellectual courage within the State Department bureaucracy.''

Last year, the winner was critical of the Iraq war.

Ambassador Evans' constructive dissent was calling the deaths of 1.5 million Armenians at the hands of the Ottomans in 1915 genocide. Our national policy towards the 1915 events calls it a tragedy, but not genocide.

So Turkey was very upset, as were a number of ''very serious people'' at the State Department. And this award, intended to encourage dissent, was revoked.

Obviously, the State Department was concerned about upsetting our ally, Turkey, though the facts seem to support the ambassador here. The sad thing is that an award intended to encourage dissent has now reinforced the powers that be. It seems the State Department is okay with dissent from the policy of a Republican President in Iraq, but it opposes dissent from a policy that denies the truth.

So much for intellectual courage.

DEMOCRATS' EDUCATION AGENDA

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

Ms. SOLIS. Mr. Speaker, today I rise in support of the House Democrats' positive education agenda, which includes specific steps to promote opportunity by strengthening our schools.

In my home State of California, nearly half of Latino and African American high school students failed to graduate in the year 2002. In Los Angeles, California, the situation is even worse. Just 39 percent of Latinos and 47 percent of African American students graduated from high school.

It is frustrating to see these staggering statistics, while Republicans insist on giving tax cuts to the very wealthy while shortchanging vital education programs. Republicans have failed American students.

The Democratic plan calls for boosting college opportunity, affordability, improving teacher quality, fully funding No Child Left Behind, and expanding pre-school opportunities for our children.

For these reasons, I support the Democratic agenda for a strong and equitable education system for all Americans. I urge my colleagues to do the same.

ILLEGAL IMMIGRATION

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

Mr. PRICE of Georgia. Mr. Speaker, the need to secure our borders has never been greater. Thousands of illegal immigrants are crossing our borders on a daily basis, and every public service is taking a financial hit from illegal immigration. Whether it is education, health care, or law enforcement, our State and local governments are being stretched to the limit.

That is not even the worst of it. Illegal Mexican immigrants are given a 32-page guidebook, paid for and contributed by the Mexican Government, providing tips on how to obtain benefits, avoid arrest, and blend into our society once they have crossed our border.

Recently, a Denver area police officer was shot and killed by an illegal immigrant. That illegal alien had been pulled over and ticketed three times in the previous 7 months by officers who never asked him about his immigration status, even though he had only a Mexican driver's license and no insurance. The sad thing is that the officers did everything correctly, according to the police manual.

Mr. Speaker, our immigration policies are badly broken. When they get in the way of justice being served, it is time for strong enforcement of our laws and to secure our borders.

TIME TO TAKE STEPS TO BEGIN WITHDRAWING U.S. TROOPS FROM IRAQ

(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, a few moments ago, I heard my colleagues from both sides of the aisle express their grief over how the war has come home and visited families and loved ones within their district. In truth, this war is destroying the aspirations of people of both countries.

Today, the United States Congress is being visited by workers from Iraq: members of the Iraqi Federation of Labor and members of the Federation of Workers Councils and Unions of Iraq, all of whom were involved in challenging the regime of Saddam Hussein; all of whom stand very strongly in defense of workers' rights, human rights; all of whom are seeking peace; all of whom are seeking an end to the war in Iraq.

It is time for this Congress to put aside the partisan differences which have occurred over the war and to come together in a plan where we can unify to take steps to withdraw our troops from Iraq and to take steps to heal the breach which the war has created between America and the world community.

LINKING U.S. SUPPORT TO U.N. RESULTS

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

Mr. WILSON of South Carolina. Mr. Speaker, as the largest financial contributor to the United Nations, the United States should be assured that U.N. programs are accountable, efficient, and results-oriented.

Unfortunately, we still have no guarantee that our contributions are used for valuable purposes. Although U.N. Secretary General Kofi Annan has discussed reform of the United Nations for years, his words have rarely resulted in action. In 1995, two dozen U.S. staffers defrauded or squandered up to $10 million in agency funds. Two years later, 16 U.N. employees were under investigation after siphoning off $6 million during an 8-year period. Additionally, in 2003, a U.N. probe into corruption allegations found that one senior U.N. official improperly gave 11 contracts to his wife.

The Committee on International Relations chairman, the gentleman from Illinois (Chairman HYDE), requires the U.N. to drastically reform or risk losing 50 percent of America's contributions to the U.N.-assessed budget. Actions speak louder than words; and if we link U.S. support to U.N. results, the U.N. will be more effective.

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

DEMOCRATS OFFER BETTER APPROACH TO JOB CREATION

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

Mr. HOLT. Mr. Speaker, as the middle class continues to feel squeezed by an economy that is creating few jobs, it is time that President Bush and the Republicans here in Congress admit that their economic policies are not working.

Democrats in the House have a plan that will lift the incomes of working families and bring the unemployment rate down. Instead, Republicans are passing legislation to meet the needs of their corporate special interest friends and the wealthy, not ordinary, Americans.

Legislative choices show values. The fact is, Democrats, historically, have a better record of creating jobs. After 5 years in office, President Bush has yet to create his first net job. At this same period, President Clinton had created 11.9 million jobs.

Oh, you can say the economy is fine, but honesty requires that you admit it is fine for the very wealthy.

You can blame people's problems on economic cycles or terrorist attacks or foreign influences, but excuses are not jobs.

The Democratic approach works and has worked historically.

MEN'S HEALTH WEEK

(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 talk about men's health and the importance of screening and preventive care.

This week is National Men's Health Week, and there is no better way to observe it than to encourage men across America to take control of their health.

Mr. Speaker, it is disturbing to learn that women are 100 percent more likely to visit a doctor for preventive screenings than men. This puts our friends, husbands, fathers, and grandfathers at risk for a host of preventable and manageable diseases from colon cancer to diabetes.

In honor of Men's Health Week, I encourage all men to get the care they need. Modern medicine has provided us with previously unimaginable ways to protect and prevent illness, and we should use them to their fullest.

I encourage men to ask their doctors which screenings and tests should be part of their health care plan. From cardio evaluation to detect heart disease, to colonoscopies to check for colorectal cancer, to digital prostate exams and PSA blood tests, men should take their health seriously.

REPUBLICAN ABUSES OF POWER: SILENCING OPPOSITION TO PATRIOT ACT

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

Ms. WATSON. Mr. Speaker, the Committee on the Judiciary chairman turned the lights off on democracy last Friday morning when he halted a hearing on the PATRIOT Act in which opposition voices were given time. After Friday's hearing, it was clear that the chairman does not like to hear from those that do not agree with his opinion; certainly, an abuse to the freedom of speech.

During the hearing, the chairman scolded both Democratic Members and panelists; and when he did not agree with a comment, he demanded panelists wrap it up. When he got really mad, he just gaveled the hearing to an end and stormed out of the room. What appalling behavior for a distinguished leader.

Then, as Democratic members tried to continue the hearing, the microphones in the room were turned off. When that did not silence my Democratic colleagues, the Republicans finally turned off the lights.

Mr. Speaker, some congressional Republicans are abusing their power over this House to silence any opposition to either them or to the Bush administration. The gentleman from Wisconsin (Chairman SENSENBRENNER) should not only apologize to everyone who attended Friday's hearing, but to every Member of this House. That is simply not the way the people's House is supposed to work, and it is time this arrogance stops.

RECOGNIZING MEN'S HEALTH WEEK

(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, since congressional passage in 1994, Men's Health Week has brought much-needed attention to the health needs of American men.

Men's Health Week encourages employers, community service organizations, public health departments, and health providers to raise awareness of men's health needs and to support preventive health measures.

Annual checkups, especially for men over the age of 40, are perhaps the single most important factor in maintaining a healthy lifestyle.

According to CDC, women are 100 percent more likely to get an annual physical exam than men. In addition to lower life expectancies than women, men are more likely to die of strokes, heart disease, cancer, and accidents. Yearly physicals have increased awareness of risks to men's health that will save lives and keep men healthy and active.

Mr. Speaker, I urge all men to take advantage of Men's Health Week and go and get a physical. Your health is worth it, and your family certainly will appreciate it.

□ 1030

CONGRESS SHOULD ERADICATE POVERTY

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I believe that this Congress has a moral obligation to eradicate poverty; to be able to stand up for those that cannot speak for themselves.

Tragically, in the backdrop of an administration who celebrates an economy that is on a track going toward a train wreck, the President's statement about a positive economy came 1 day after disappointing job numbers showed our economy created only 78,000 new jobs. This number is one-half of the 150,000 jobs that must be created each month to keep up with our increasing population.

Americans need to work. Americans need to have the opportunity for an income to provide for their families. This tragedy of job creation is the worst since Herbert Hoover. And of course our congressional colleagues believe that we should be excited.

Well, my challenge is if poverty is raging in America, we have a moral obligation to those working at Burger King and elsewhere to give them opportunities to move up. Why do we not stop the war in Iraq, invest in America, and eradicate poverty?

TRIBUTE TO NORMAN CHEEK

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

Ms. FOXX. Mr. Speaker, I rise today to recognize and commend one of the finest citizens in North Carolina's Fifth District, Mr. Norman Cheek.

As the owner of Toyota of Boone, Norman is famous throughout northwest North Carolina for being the ''Little Dealer With a Big Heart.'' I could not think of a more fitting description for this wonderful man.

Norman is one of the most thoughtful and caring people I have ever had the privilege of getting to know. Recently he was recognized by the North Carolina National Guard for being a top business supporter. He spent countless hours spearheading an effort to collect food, supplies, and games for local troops serving in Iraq.

In addition, Norman has worked hard to keep local high school students safe. He has raised well over half a million dollars during the past 16 years for Project Graduation, a drug- and alcohol-free celebration for high school seniors. Since the project started, there have been no fatalities on graduation night.

Mr. Speaker, it is an honor to acknowledge Norman Cheek and a privilege to recognize June 15, 2005, as Norman Cheek Day in North Carolina's Fifth District.

MEDICAID REFORM

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

Mr. BURGESS. Mr. Speaker, when you hear Governors talk about Medicaid, the one word they use, regardless of party or what region of the country they represent, the one word they use over and over again is ''unsustainable.''

In 2005, the Medicaid program has grown to become a program that costs Federal and State governments $330 billion a year and covers 50 million beneficiaries. States grapple with the cost of the program, providers struggle to participate in Medicaid, and beneficiaries ask whether it is meeting their needs.

Mr. Speaker, if we were creating this program today, I doubt the current Medicaid system is one that any one of us would visualize. We should not shy away from reviewing this program to ensure that it is meeting its stated mandate: to provide quality care for the disabled, poor, elderly, and the frail.

Is the program meeting this mandate? In terms of sheer magnitude, the Medicaid program has become unworkable, and growth is a constant. The program cannot continue to grow at its current rate and meet the needs of those that its covers.

Oftentimes health care policy is a study in crisis management. We have come to a point with Medicaid that we will be pushed to make trade-offs. We must ensure that Medicaid serves as a true safety net, and we must have the institutional courage to review this program and make changes where necessary prior to its ultimate collapse from its own weight.

GIFT PARCELS TO CUBA

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

Mr. FLAKE. Mr. Speaker, I rise today to indicate that I will be offering an amendment later to the State Department appropriation bill that will prohibit funds from being used to enforce new restrictions, new as of a year ago, that limit gift parcels to Cuba.

This amendment is called the toothpaste and toilet paper amendment because we prohibit those personal hygiene items from being shipped from a family member in the United States to a family member in Cuba. I would suggest, Mr. Speaker, that that is not what this country is all about. That is not what we should be doing.

When these new rules were promulgated, the Department of Commerce and the Department of State said we will come out and change those because of public input. Guess what? Over 1 year later, they have not. Those provisions remain in effect.

Family members here in the United States are prohibited from sending toothpaste and toilet paper and other personal hygiene items to family members in Cuba. The people of Cuba have enough to deal with just living daily life there under a dictatorship. We need not burden them any further.

U.N. REFORM

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

Mr. McCOTTER. Mr. Speaker, previously I introduced an amendment to the appropriations budget which would have called upon the committee to remove 50 percent of the United States' annual dues to the United Nations. I did so to expound upon a point and to presage a prospective debate.

As we debate the Hyde bill or the Lantos substitute amendment to it, let us remember that there is an American cost to the United Nations' corruption.

For example, by reducing the annual dues to the United Nations, within this budget alone we could have increased funding for violence against women prevention and prosecution by $45 million, increased trade adjustment assistance by $40 million, increased spending on minority business development by $50 million, increased spending on the Manufacturing Extension Partnerships by $40 million, and increased money for the United States Institute of Peace by over $6 million.

So as we enter this debate, let us remember that out of the oil-for-food corruption and the scandals of sex-for-food in the Congo, that if the United Nations does not cleanse itself, that American money could be better spent here at home.

HENRY J. HYDE U.N. REFORM ACT

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

Mr. PENCE. Mr. Speaker, in 1994, staffers at UNICEF's Kenya office defrauded or squandered up to $10 million. In the Congo in the last year, U.N. peacekeepers and civilian personnel stand accused of widespread sexual exploitation of refugees of the Democratic Republic of the Congo and a $10 billion oil-for-food scandal. Mr. Speaker, it is time for U.N. reform with teeth. It is time for the Henry J. Hyde U.N. Reform Act.

In the Hyde bill, this Congress will bring about a new prioritization of programs, increased accountability and oversight, and strengthen human rights institutions within the body. Under the Hyde bill, the U.N. must meet 32 of 39 reforms, 14 of which are mandatory, or they face the potential consequences of a 50 percent reduction in U.N. assessed dues in the very near future.

It is time to save the U.N. from scandals and mismanagement. It is time for U.N. reform with teeth. Let us pass tomorrow the Henry J. Hyde U.N. Reform Act.

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material, and that I may include tabular material on the further consideration of H.R. 2862, Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006.

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

There was no objection.

SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 314 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. 2862.

□ 1040

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. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, June 14, 2005, the amendment by the gentleman from New Jersey (Mr. GARRETT) had been disposed of, and the bill was open for amendment from page 22, line 14 through page 25, line 17.

Pursuant to the order of the House of that day, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

Amendments printed in the RECORD and numbered 1, 4, 10, 11, 17, 18, 19 and 21;

An amendment printed in the RECORD and numbered 2, which shall be debatable for 15 minutes;

An amendment printed in the RECORD and numbered 6, which shall be debatable for 20 minutes;

An amendment by Mr. WOLF, regarding funding levels;

An amendment by Mr. HINCHEY, regarding implementation of laws on medical marijuana, which shall be debatable for 30 minutes;

An amendment by Mr. MARKEY, regarding limitation on funds for torture, which shall be debatable for 15 minutes;

An amendment by Mr. NADLER, regarding health insurance records under the PATRIOT Act, which shall be debatable for 15 minutes;

An amendment by Mr. SANDERS, regarding FISA applications under the PATRIOT Act, which shall be debatable for 40 minutes;

An amendment by Mr. SCHIFF, regarding protection of the Federal judiciary;

An amendment by Mr. CARDIN, regarding WTO action against China for currency manipulation;

An amendment by Mr. MICA, regarding U.S. and Commercial Service funding;

An amendment by Mr. SHIMKUS or Ms. ESHOO, regarding NTIA funding;

An amendment by Mr. INSLEE, regarding NOAA Coastal Zone Management Program;

An amendment by Mr. FOSSELLA or Mr. KING of New York, regarding U.S. fugitives residing in Cuba;

An amendment by Mr. FLAKE, regarding educational cultural exchanges;

An amendment by Mr. FLAKE, regarding goods to Cuba, which shall be debatable for 20 minutes;

An amendment by Ms. JACKSON-LEE of Texas, regarding data on racial distribution of convictions;

An amendment by Ms. JACKSON-LEE of Texas, regarding affirmances by immigration judges;

An amendment by Mr. MORAN of Virginia, regarding export licenses for firearms;

An amendment by Mrs. MUSGRAVE, regarding NASA Hollywood liaison;

An amendment by Mr. OTTER, regarding delaying notice on search warrants;

An amendment by Mr. KING of Iowa, regarding implementation of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996;

An amendment by Mr. SCHIFF, regarding DNA collection from convicted felons;

An amendment by Ms. JACKSON-LEE of Texas regarding safety requirements for the space shuttle and the international space station;

An amendment by Mrs. JONES of Ohio, regarding EEOC;

An amendment by Ms. MOORE of Wisconsin, regarding SBA funding;

An amendment by Mr. WEINER, regarding State and local law enforcement funding;

An amendment by Mr. HAYWORTH, regarding U.N. funding;

An amendment by Mr. MCDERMOTT, regarding travel to Cuba;

An amendment by Mr. REYES, regarding torture of human rights activists.

Each such amendment may be offered only by the Member named in the request or a designee, or the Member who caused it to be printed in the RECORD or a designee; shall be considered read; shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Science, State, Justice, Commerce, and Related Agencies 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.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

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Mr. WOLF. Mr. Chairman, I ask unanimous consent that the remainder of title I of the bill through page 34, line 11, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the remainder of title I is as follows:

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement ''Weed and Seed'' program activities, $50,000,000, to remain available until September 30, 2007, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations, and agencies of local government engaged in the investigation and prosecution of violent and gang-related crimes and drug offenses in ''Weed and Seed'' designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the ''Weed and Seed'' program strategy: *Provided*, That funds designated by Congress through language for other Department of Justice appropriation accounts for ''Weed and Seed'' program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: *Provided further*, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of ''Weed and Seed'' program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act: *Provided further*, That of the funds appropriated for the Executive Office for Weed and Seed, not to exceed $2,000,000 shall be directed for comprehensive community development training and technical assistance.

COMMUNITY ORIENTED POLICING SERVICES

For activities athorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (including administrative costs), $520,057,000, to remain available until expended: *Provided*, That of the funds under this heading, not to exceed $2,575,000 shall be available for the Office of Justice Programs for reimbursable services associated with programs administered by the Community Oriented Policing Services Office: *Provided further*, That section 1703(b) and (c) of the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act'') shall not apply to non-hiring grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.): *Provided further*, That up to $29,000,000 of balances made available as a result of prior year deobligations may be obligated for program management and administration: *Provided further*, That any balances made available as a result of prior

year deobligations in excess of $29,000,000 shall only be obligated in accordance with section 605 of this Act. Of the amounts provided—

(1) $30,000,000 is for the matching grant program for law enforcement armor vests as authorized by section 2501 of part Y of the 1968 Act, of which not to exceed $3,000,000 shall be for the National Institute of Justice to test and evaluate vests;

(2) $60,000,000 is for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in ''drug hot spots'';

(3) $120,000,000 is for a law enforcement technologies and interoperable communications program;

(4) $25,000,000 is for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1998 (42 U.S.C. 14601);

(5) $10,000,000 is for an offender re-entry program;

(6) $177,057,000 is for a DNA analysis and capacity enhancement program, and for other State, local and Federal forensic activities;

(7) $38,000,000 is for law enforcement assistance to Indian tribes; and

(8) $60,000,000 for a national program to reduce gang violence.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (''the Act''), and other juvenile justice programs, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $333,712,000, to remain available until expended, as follows—

(1) $712,000 for concentration of Federal efforts, as authorized by section 204 of the Act;

(2) $83,000,000 for State and local programs authorized by section 221 of the Act, including training and technical assistance to assist small, non-profit organizations with the Federal grants process;

(3) $70,000,000 for demonstration projects, as authorized by sections 261 and 262 of the Act;

(4) $5,000,000 for juvenile mentoring programs;

(5) $80,000,000 for delinquency prevention, as authorized by section 505 of the Act, of which—

(A) $10,000,000 shall be for the Tribal Youth Program;

(B) $25,000,000 shall be for a gang resistance education and training program; and

(C) $25,000,000 shall be for grants of $360,000 to each State and $6,640,000 shall be available for discretionary grants to States, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(6) $5,000,000 for Project Childsafe;

(7) $15,000,000 for the Secure Our Schools Act as authorized by Public Law 106–386;

(8) $15,000,000 for programs authorized by the Victims of Child Abuse Act of 1990; and

(9) $60,000,000 for the Juvenile Accountability Block Grants program as authorized by Public Law 107–273 and Guam shall be considered a State:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of each amount may be used for training and technical assistance: *Provided further*, That the previous two provisos shall not apply to demonstration projects, as authorized by sections 261 and 262 of the Act.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums as are necessary, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340); and $4,884,000, to remain available until expended for payments as authorized by section 1201(b) of said Act; and $4,064,000 for educational assistance, as authorized by section 1212 of the 1968 Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $60,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 102. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 103. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 104. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 103 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 105. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 106. The Attorney General is authorized to extend through September 30, 2007, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002, Public Law 107–296 (6 U.S.C. 533) without limitation on the number of employees or the positions covered.

SEC. 107. None of the funds made available in this Act may be used by the Drug Enforcement Administration to establish a procurement quota following the approval of a new drug application or an abbreviated new drug application for a controlled substance.

SEC. 108. The limitation established in the preceding section shall not apply to any new drug application or abbreviated new drug application for which the Drug Enforcement Administration has reviewed and provided public comments on labeling, promotion, risk management plans, and any other documents.

SEC. 109. Notwithstanding any other provision of law, Public Law 102–395 section 102(b) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply without fiscal year limitation with respect to any undercover investigative operation initiated by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 110. Any funds provided in this Act under ''Department of Justice'' used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

SEC. 111. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 112. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

This title may be cited as the ''Department of Justice Appropriations Act, 2006''.

The CHAIRMAN. Are there any amendments to that portion of the bill?

AMENDMENT OFFERED BY MR. WOLF

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WOLF:

Page 26, line 25, after the dollar amount, insert the following: ''(increased by $34,000,000)''.

Page 27, line 21, after the dollar amount, insert the following: ''(increased by $34,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Virginia (Mr. WOLF) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. WOLF).

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

The committee is dedicated to addressing the methamphetamine problem; and now with the additional funds freed by the amendment, we can dedicate more funds to combat the meth problem. So I am offering this amendment which adds $34 million to the COPS program to combat meth production and trafficking and enhance policing initiatives.

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

The CHAIRMAN. Does any Member claim the time in opposition?

The question is on the amendment offered by the gentleman from Virginia (Mr. WOLF).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WEINER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WEINER:

Page 26, line 25, after the dollar amount, insert ''(increased by $126,152,000)''.

Page 57, line 9, after the dollar amount, insert ''(reduced by $126,152,000)''.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from New York (Mr. WEINER) and the gentleman from Virginia (Mr. WOLF) each will control 5 minutes.

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 another amendment that offers to bolster the COPS program. The hiring count is zeroed out in this bill, and it takes the funds of the National Science Foundation, reduces the NSF not back to the level it was before its deep cuts, but puts it back to where it was in 2004 before those big cuts began.

First, let me say that a consensus is emerging in this House. We have had amendment after amendment that has been offered to take the COPS program back from the scrap heap, back from a point at zero, and try to restore the hiring component.

We saw it done from Census, a proposal to do it from the FBI, and a proposal now to do it from the NSF. Let me be very clear, I think the NSF should be higher than my amendment and higher than the level provided by this House, and I believe the gentleman from West Virginia (Mr. MOLLOHAN) and the gentleman from Virginia (Mr. WOLF) would both like to have more than they have allocated.

The issue is this: we have reached consensus in Congress that the COPS program should not be zeroed out. We reached that consensus because in the reauthorization for the Justice Department we included a billion dollars to reauthorize the COPS program. We reached consensus yesterday on the floor when overwhelmingly an amendment was adopted to increase the COPS program. We just adopted an amendment to restore funds to the COPS program. The COPS program should not be zeroed out because it has been arguably the most successful Federal law enforcement program ever created, and it is also the most democratic.

I have a map showing cities all around the country and the number of officers that have been funded since 1995 and the level that crime has gone down, whether it be Jackson, Mississippi, 347 officers funded, a crime rate drop of 12 percent; San Antonio, Texas, 100 officers funded, a drop of 9 percent; Boston, Massachusetts, 139 officers funded, a 28 percent crime rate reduction.

Yet in this bill, we zero out the hiring component. It is mysterious why the COPS program has become such a target, but I can tell Members it is not because the program does not work. A broad coalition, bipartisan as we saw yesterday and in the sponsorship of my effort to reauthorize the bill, shows that just about every law enforcement group and just about every Member of this House believes in the COPS program.

This is another demonstration of the same point. Look at how evenly distributed the number of new officers is: Texas, 6,074 police officers on the street. When John Ashcroft spoke about this during his confirmation hearings for Attorney General, he said, ''Let me just say, I think the COPS program has been successful. The purpose of the COPS program was to demonstrate to local police departments that if you put additional police, feet on the street, that crime would be affected and people would be safer and more secure. We believe the COPS program demonstrated that conclusively.'' That is John Ashcroft.

When Tom Ridge was sworn in as the Secretary of Homeland Security, he said homeland security starts in our home towns.

Yet what we have done, the last 4 years, since September 11, we have had a steady decline in the COPS program to where it is zero. The hiring component is at zero. We are actually taking cops off the street rather than putting them on.

I have complete confidence that the gentleman from West Virginia (Mr. MOLLOHAN) and the gentleman from Virginia (Mr. WOLF) understand the value of the COPS program. In the district of the gentleman from Virginia (Mr. WOLF), over $1.1 million has been awarded to add school resource officers. In the district of the gentleman from West Virginia (Mr. MOLLOHAN), over $26 million in the State of West Virginia.

So what does this amendment do? First of all, before my opponents stand up, let me do the argument for them. The NSF is a valuable agency. We are not saying it is not valuable. We are saying that dramatic increase they are going to get this year be limited to bringing them back to where they were in the 2004 budget before we slashed it down. Not that it should be cut, not that it should be reduced. It should be flatted out, increased rather, but only to the point where it was in 2004 before we had the reduction last year. I think it is fair and reasonable.

We also have to be careful about something else. We are in the unpleasant circumstance of having to take from Peter to pay Paul. But I would argue that Members should listen to the voice of this House. We overwhelmingly reauthorized the COPS program in the Justice Department reauthorization bill. The will of this House is to have a COPS hiring component. Yesterday's amendments showed it.

So before we get into this argument about what is better, science or police, I say they are both very, very important. What is more important, Census or police; they are both very, very important. What is more important, the FBI or the police on the beat; they are both very, very important. This amendment seeks to balance two ideals.

Mr. WOLF. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I rise in very strong opposition to the amendment. It would inflict a major blow to the Nation's basic scientific research. The Nation has reached a crisis point in terms of science and technology. Any advantage that we have enjoyed is rapidly eroding.

The research budget should be considered part of the national security budget. It is the most strategic investment we make in maintaining America's leadership in the world. We worked hard within our limited allocation to provide an increased funding level in the bill for NSF's basic scientific research, $157 million above last year's level. Every outside group said this is good. It is above what the Bush administration had, and to take it out now would send a message to the scientific community and the university community that would demoralize them. It would make us a second- and third-rate Nation. I urge a strong ''no'' vote on the amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT), chairman of the Committee on Science and one who knows so much about this issue.

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

Mr. BOEHLERT. Mr. Chairman, I rise in strong opposition to this amendment. I am a little bit surprised that the gentleman from New York (Mr. WEINER), who is a former member of the Committee on Science, and let me add a valuable member of the Committee on Science, I am a little surprised he would be offering this amendment.

Let me say what I have said many times in response to earlier amendments. We cannot be decimating a valuable program so another can do a little bit better, and that is what this amendment would do.

The National Science Foundation is not exactly flush with cash these days. The appropriators deserve to be congratulated for the funding they have been able to find; but let me remind Members, it is not as much as NSF received in fiscal year 2004. The approval rate for grant applications is down 20 percent. The approval rate in some subfields, some specialties, is in the single digits. Meanwhile, NSF is being asked to take on more responsibilities, such as footing the bill for the ice-breaking activities in the Antarctic. This is not the time to be cutting NSF. NSF does not have cash to spare.

Even the gentleman from New York (Mr. WEINER) recognizes this because he proudly joined us in signing a letter requesting far more money for NSF

than this bill provides. That letter talks about how vital NSF programs are to our Nation's economic future.

If one takes the long view, it is kind of ironic to take money away from NSF to find funding for local law enforcement. If our economy falters, then crime will surely go up. And if we do not invest in basic research, then over time our economy surely will falter. We should not be doing this. This is not the right way to approach it.

I urge opposition to this amendment which will take money away from a vital cash-strapped agency which is dealing with our future. No one will fund basic research if the Federal Government does not. That is not true of local law enforcement. So I urge opposition to this amendment.

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

Mr. Chairman, I rise in strong opposition to this amendment. The gentleman from New York (Mr. WEINER) says before we get into this argument between COPS and NSF and NOAA and all of the other good programs in this bill, we are into the argument of balancing. He says we are trying to balance two ideals.

I want to assure the gentleman from New York (Mr. WEINER) that the chairman, the ranking member, and all of the subcommittees, in addition to the full Committee on Appropriations, have gone through an extensive exercise of balancing these ideals, more than two ideals. There are many competing domestic programs in this bill. They are all worthy purposes and projects, and they all serve our country in different ways; and given our allocation, we spent a lot of time balancing these ideals.

I suggest that this amendment puts these ideals in imbalance, particularly with regard to NSF. The whole stated purpose of moving the science programs from VA–HUD and independent agencies last year as we went through what I considered to be an unnecessary exercise of eliminating that committee, the stated purpose was to reemphasize science.

In a small way this committee has been able to do that in the sense that the chairman restored to the National Science Foundation moneys that we were not able to give it last year. In other words, in 2005 we cut NSF. That was a terrible thing to do, and it was for reasons I will speak to in just a moment. However, we have restored that money in this bill. We have done the best for the COPS program, for the law enforcement programs that we could. Although State and local law enforcement, as we have seen by the Obey amendments and the debate with regard to them, are certainly underfunded, so is the National Science Foundation which is such a critical area for the Nation's future economy.

I think everybody agrees that science research is the cutting edge, is the precursor, if you will, for a modern economy. If we are going to stay ahead of the economic conditions, of the economic realities, of the economic phenomenon that we all find ourselves in with economic globalization, we need to be at the forefront of research. We need to be at the forefront of development. That requires a Federal role in facilitating, in sponsoring, in sending the signal that the country needs to invest in research in collaboration with our great university institutions and our great corporations and small businesses and the nonprofit sector that are so active with the National Science Foundation funding.

I would point out these are competitive grants. They are particularly important as they facilitate the research that gives us that economic edge in the world.

I strongly support maintaining our funding for the National Science Foundation. It would be disastrous and it would be extremely shortsighted for all of the reasons I stated to do otherwise.

Mr. Chairman, I strongly oppose this amendment and would strongly encourage all of our colleagues on a bipartisan basis to oppose this amendment, not because we oppose COPS; we support the COPS program, and we will do everything we can for that program. At the same time, the other ideal that the sponsor of the amendment talked about, the NSF, cannot experience this kind of a cut and do the job that it needs to do.

□ 1100

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

Mr. Chairman, I have spent a lot of time not just this session, but in the two previous sessions of this Congress fighting for additional funding for law enforcement assistance grants. I take a back seat to no one in my interest in doing that. But I absolutely agree with virtually every word said by the subcommittee chairman the gentleman from Virginia (Mr. WOLF), and by the ranking member the gentleman from West Virginia (Mr. MOLLOHAN). I have spent over 30 years on the Labor-Health-Education subcommittee. One of our main concerns on that subcommittee is health research principally centered in the National Institutes of Health. Anyone from NIH will tell you that much of the progress that they have been able to make in the past 20 years has been rooted in the most basic of all scientific research, and a good deal of that research has been funded in the past by the National Science Foundation. If we cut back the National Science Foundation, we are eating our own seed corn, we are eroding the ability of this economy to grow, we are weakening the ability of this society to increase human knowledge, and we are weakening our efforts to improve health as well.

If you would take a look at our research budget today, at our basic research budget, we are spending a smaller percentage of our national income on basic research today than we have been spending at any time since those numbers have been kept. We do not want to weaken that even more.

I would also point out that in the area of health, if you take a look at the issue of three-dimensional imaging, that has been greatly enhanced by basic research done under contract with the National Science Foundation. Research into materials, into changing materials that you can use for joints, for heart valves, much of that has originated in research financed by the National Science Foundation. Eye surgery has been refined to a great extent by what we have learned under the auspices of the National Science Foundation.

I applaud the gentleman from New York in wanting to increase funding for the COPS program. I think it is outrageous that we have seen these long-term reductions. But if we do cut back on the National Science Foundation, we not only threaten the health of America's citizens, we threaten the health of America's economic system as well. I think this is one of those examples where this agency does not have a lot of political support, but it is absolutely imperative that we step in and see to it that we make the advances that are possible with decent levels of funding.

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

Mr. OBEY. I yield to the gentleman from New York.

Mr. WEINER. Just for the purpose of clarification, under my amendment we are not reducing the budget of the NSF. It is going up. It is going up. I just want to make that clear. What we are doing is we are saying it should rise back to the level it was cut back to.

Mr. OBEY. I understand. But the gentleman, among other things, is cutting into their education programs. This country is on the edge of being scientifically illiterate. We cannot afford to cut back science education in one classroom, in one university, in one corporation. We have got to have it all, and we need to have much more than we have right now.

Mr. WEINER. If the gentleman will yield further, the gentleman from New York (Mr. BOEHLERT) made this characterization as well. The COPS program hiring component is zero. Not a little, not a medium amount, not cut back. Zero.

Mr. OBEY. If I can take back my time, I understand that. That is why I had an amendment yesterday to add $400 million to local law enforcement. The majority rejected that. I had another amendment adding $200 million to local law enforcement.

My position in favor of the COPS program is clear. My brother-in-law is a former district attorney who was shot. I have no less concern about law enforcement than the gentleman from New York. But the National Science Foundation and all of its ancillary programs, especially its education programs, are crucial to the future health

of this country. It would be mindless to pass this amendment.

Mr. WOLF. I want to thank the gentleman from Wisconsin for his comments.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Chairman, the gentleman from Wisconsin is correct. The country is on the brink of scientific illiteracy. I join the gentleman from Wisconsin, our ranking member, and our chairman in strongly opposing this amendment.

I want to reiterate something Chairman WOLF said which is vitally important. The National Science Foundation is of strategic importance to the future prosperity of the United States. We have three appropriations bills that deal with the defense of this country; one obviously the defense bill, homeland security, and then this bill which invests in the future prosperity of the country by investing in fundamental research and development through the National Science Foundation. The American Association for the Advancement of Science has shown with future projections that the purchasing power of research and development investments are expected to decline over the next 5 years.

The chairman has put together a superb bill that increases funding for the National Science Foundation, not the level we need to be because of our suballocation, but we are moving in the right direction. If we do not do so, other nations will pass us by. China is now graduating 300,000 engineers per year versus 71,000 in the United States. China's high tech output has shot up eightfold over the 1990s, while ours has only doubled. We need to reject this amendment and continue the growth in investment in research and development through the National Science Foundation.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. EHLERS), who has been a leader on this issue.

Mr. EHLERS. Mr. Chairman, first of all, I have to make a correction. The gentleman from New York keeps saying that he is not cutting NSF. Actually, the National Science Foundation appropriation under this bill is still less than fiscal year 2004 due to the large cut last year. Furthermore, the Research and Related Activities account, which we have been discussing with this amendment, will be cut $60 million below fiscal year 2004 levels by this amendment.

We have not only started to eat our seed corn, I read an article last week that said the seed corn is almost gone. Because other countries are making this a high priority, they are doing much better than we are in research.

Let me illustrate the importance of research activities. When I was a graduate student fifty years ago, a friend of mine, Charlie Townes, was working on development of a laser. Today I hold in my hand a laser which I purchased downstairs in the stationery shop for $15. That is how far we have come in 50 years. The laser industry, which rose from a simple grant to Dr. Townes from the National Science Foundation of a few million dollars, is today a multi-multibillion-dollar industry in this country. That is the kind of rate of return we get on our investment in research and our funding of the National Science Foundation. Reject this amendment. It goes in totally the wrong direction.

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

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

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

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

Mr. WOLF. Mr. Chairman, I ask unanimous consent that title II of the bill through page 52, line 17, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of title II is as follows:

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $44,779,000, of which $1,000,000 shall remain available until expended: *Provided*, That not to exceed $124,000 shall be available for official reception and representation expenses: *Provided further*, That not less than $2,000,000 provided under this heading shall be for expenses authorized by 19 U.S.C. 2451 and 1677b(c).

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $62,752,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 40118; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $406,925,000, of which $13,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: *Provided*, That $47,434,000 shall be for Manufacturing and Services; $39,815,000 shall be for Market Access and Compliance; $62,134,000 shall be for the Import Administration of which not less than $3,000,000 is for the Office of China Compliance; $231,722,000 shall be for the United States and Foreign Commercial Service; and $25,820,000 shall be for Executive Direction and Administration: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $77,000,000, to remain available until expended, of which $14,767,000 shall be for inspections and other activities related to national security: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, and for trade adjustment assistance, $200,985,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $26,584,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $30,024,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $80,304,000, to remain available until September 30, 2007.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $208,029,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses related to the 2010 decennial census, $463,596,000, to remain available until September 30, 2007: *Provided*, That of the total amount available related to the 2010 decennial census, $213,849,000 is for the Re-engineered Design Process for the Short-Form Only Census, $169,948,000 is for the American Community Survey, and $79,799,000 is for the Master Address File/Topologically Integrated Geographic Encoding and Referencing (MAF/TIGER) system.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, $160,612,000, to remain available until September 30, 2007, of which $72,928,000 is for economic statistics programs and $87,684,000 is for demographic statistics programs: *Provided*, That regarding construction of a facility at the Suitland Federal Center, quarterly reports regarding the expenditure of funds and project planning, design and cost decisions shall be provided by the Bureau, in cooperation with the General Services Administration, to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That none of the funds provided in this or any other Act under the heading ''Bureau of the Census, Periodic Censuses and Programs'' shall be used to fund the construction and tenant build-out costs of a facility at the Suitland Federal Center: *Provided further*, That none of the funds provided in this or any other Act for any fiscal year may be used for the collection of Census data on race identification that does not include ''some other race'' as a category.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $17,716,000: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of the program as authorized by section 392 of the Communications Act of 1934, $2,000,000, to remain available until expended as authorized by section 391 of the Act.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, $1,703,300,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year 2006, so as to result in a fiscal year 2006 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2006, should the total amount of offsetting fee collections be less than $1,703,300,000, this amount shall be reduced accordingly: *Provided further*, That not less than 657 full-time equivalents, 690 positions and $85,017,000 shall be for the examination of trademark applications; and not less than 6,050 full-time equivalents, 6,304 positions and $926,356,000 shall be for the examination and searching of patent applications: *Provided further*, That not more than 265 full-time equivalents, 272 positions and $37,490,000 shall be for the Office of the General Counsel: *Provided further*, That not more than 82 full-time equivalents, 83 positions and $25,393,000 shall be for the Office of the Administrator for External Affairs: *Provided further*, That from amounts provided herein, not to exceed $1,000 shall be made available in fiscal year 2006 for official reception and representation expenses: *Provided further*, That notwithstanding section 1353 of title 31, United States Code, no employee of the United States Patent and Trademark Office may accept payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an employee to attend and participate in a convention, conference, or meeting when the entity offering payment or reimbursement is a person or corporation subject to regulation by the Office, or represents a person or corporation subject to regulation by the Office, unless the person or corporation is an organization exempt from taxation pursuant to section 501(c)(3) of the Internal Revenue Code of 1986: *Provided further*, That in fiscal year 2006, from the amounts made available for ''Salaries and Expenses'' for the United States Patent and Trademark Office (PTO), the amounts necessary to pay: (1) the difference between the percentage of basic pay contributed by the PTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by the Office of Personnel Management, of post-retirement life insurance and post-retirement health benefits coverage for all PTO employees, shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appropriate, and shall be available for the authorized purposes of those accounts.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology Office of Technology Policy, $6,460,000.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $397,744,000, to remain available until expended, of which not to exceed $760,000 may be transferred to the ''Working Capital Fund''.

MANUFACTURING EXTENSION PARTNERSHIPS

For necessary expenses of Manufacturing Extension Partnerships of the National Institute of Standards and Technology, $106,000,000, to remain available until expended.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, $45,000,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $2,444,000,000, to remain available until September 30, 2007: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further*, That in addition, $3,000,000 shall be derived by transfer from the fund entitled ''Coastal Zone Management'' and in addition $77,000,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'': *Provided further*, That of the $2,543,000,000 provided for in direct obligations under this heading $2,444,000,000 is appropriated from the General Fund, $80,000,000 is provided by transfer, and $19,000,000 is derived from deobligations from prior years: *Provided further*, That no general administrative charge shall be applied against an assigned activity

included in this Act or the report accompanying this Act: *Provided further*, That the total amount available for the National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $189,010,000: *Provided further*, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund including Department of Commerce General Counsel legal services shall not exceed $40,700,000: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 605 of this Act.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $936,000,000 to remain available until September 30, 2008: *Provided*, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: *Provided further*, That except to the extent expressly prohibited by any other law, the Department of Defense may delegate procurement functions related to the National Polar-orbiting Operational Environmental Satellite System to officials of the Department of Commerce pursuant to section 2311 of title 10, United States Code: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 605 of this Act: *Provided further*, That none of the funds provided in this Act or any other Act under the heading ''National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction'' shall be used to fund the General Services Administration's standard construction and tenant build-out costs of a facility at the Suitland Federal Center.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $50,000,000: *Provided*, That this amount shall be available to fund grants to the States of Washington, Oregon, Idaho, California, and Alaska, and to the Columbia River and Pacific Coastal Tribes for projects necessary for restoration of salmon and steelhead populations that are listed as threatened or endangered, or identified by a State as at-risk to be so-listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least thirty-three percent of the Federal funds: *Provided further*, That, in order to fulfill the matching requirement in the previous proviso, non-Federal contributions of funds pursuant to the previous proviso must be used in direct support of this program.

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed $3,000,000 shall be transferred to the ''Operations, Research, and Facilities'' account to offset the costs of implementing such Act.

FISHERIES FINANCE PROGRAM ACCOUNT

For the costs of direct loans, $60,000, as authorized by the Merchant Marine Act of 1936: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in the Federal Credit Reform Act of 1990: *Provided further*, That these funds are only available to subsidize gross obligations for the principal amount of direct loans not to exceed $5,000,000 for Individual Fishing Quota loans, and not to exceed $18,900,000 for fishing capacity reduction loans: *Provided further*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

OTHER

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed $5,000 for official entertainment, $47,466,000: *Provided*, That not to exceed 12 full-time equivalents and $1,621,000 shall be expended for the legislative affairs function of the Department.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $22,758,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 203. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this or any other Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act.

SEC. 204. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 205. Any funds provided in this Act under ''Department of Commerce'' used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

This title may be cited as the ''Department of Commerce and Related Agencies Appropriations Act, 2006''.

AMENDMENT OFFERED BY MR. MICA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MICA:

Page 36, line 11, after the first dollar amount, insert the following: ''(increased by $131,900,000)''.

Page 36, line 19, after the dollar amount, insert the following: ''(increased by $131,900,000)''.

Page 60, line 23, after the dollar amount, insert the following: ''(reduced by $131,900,000)''.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Florida (Mr. MICA) and the gentleman from Virginia (Mr. WOLF) each will control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. MICA).

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

I offer this amendment which transfers all of the funding for economic service officer positions in the Department of State, transfers their funds, $131 million for those positions, to the Foreign Commercial Service operation, which is under the Department of Commerce. I do so because this 5 or 10 minutes that we have here to discuss on this amendment is probably the only discussion we will have on this entire bill relating to our trade deficit and the inability of the United States to compete in international markets.

I would venture to say very few Members of Congress have a clue as to what the Foreign Commercial Service does or where it is positioned. The Foreign Commercial Service, which has been around for some time and has bounced around from the Department of Commerce to the Department of State, is our number one means of assistance to particularly medium and small businesses overseas to assist in promoting U.S. exports and businesses in those localities.

Our trade deficit last month, I believe, was $57 billion. We will exceed a trade deficit in the United States of over $600 billion this year. We only have 76 countries in which we have

Foreign Commercial Service operations. We only have officers in 76 countries. In 96 countries, the Department of State has that responsibility. I would not mind if the Department of State had that responsibility, but from my personal experience of dealing in international trade, our system of promoting, assisting, financing and negotiating in international trade is dysfunctional at best.

We have these 98 countries, and I will include this list as part of the RECORD, that have no Foreign Commercial Service operations. It is handled by the State Department. If I thought the State Department considered this a priority in promoting trade in U.S. business, or we had the best personnel to assist in doing business, I would not be here. Here is the response I got from the Department of State on the number of positions they have:

There are currently 1,319 Foreign Service officers with economics specialization. List of overseas economic positions and posts where the State Department performs the commercial functions are enclosed. As you can see, the number of economic positions overseas, only 497, is considerably less than the number of Foreign Service officers with an economic specialty, 1,319. The difference is accounted for by the fact that many economic officers are entry-level officers who in their first one or two tours in the Foreign Service fill rotational or consular positions. Other economics officers are stationed in Washington; others are participating in long-term training or performing other noneconomic jobs overseas, and so forth.

That is not a priority. We have the emerging markets around the world in which we have not a priority nor no Foreign Commercial Service officer operating. This is a simple amendment. It transfers those, sometimes they call them bean counters, and in some countries the economic officers do do a very good job, but I am saying in most countries we do not even have and in emerging markets we do not even have a Foreign Commercial Service officer.

Finally, I have a chart that shows the level of funding for international trade promotion and assistance positions and the deficit. As we keep the level of personnel dealing with assisting business and particularly medium and small business at the lowest possible level, you can see that our trade deficit explodes.

Mr. Chairman, 19 of 20 consumers in the future are outside our borders. I cannot fault the appropriators alone because this is also authorization responsibility, but it is multijurisdictional. But no one is taking it within their turf to do anything about this, so I propose today that we take the economic officers who do not have this as a priority in the Department of State and transfer them to the Department of Commerce under the Foreign Commercial Service Office.

EMBASSIES AT WHICH STATE DEPARTMENT PERFORMS COMMERCIAL FUNCTION

AFRICA

1 Abidjan
2 Addis Ababa
3 Antananarivo
4 Asmara
5 Bamako
6 Bangui
7 Banjul
8 Bissau
9 Brazzaville
10 Bujumbura
11 Conakry
12 Cotonou
13 Dar Es Salaam
14 Djibouti
15 Freetown
16 Gaborone
17 Harare
18 Kampala
19 Khartoum
20 Kigali
21 Kinshasa
22 Libreville
23 Lilongwe
24 Lome
25 Luanda
26 Lusaka
27 Maputo
28 Maseru
29 Mbabane
30 N'djamena
31 Niamey
32 Monrovia
33 Nouakchott
34 Ouagadougou
35 Port Louis
36 Praia
37 Windhoek
38 Yaounde

EAST ASIA & PACIFIC

39 Apia
40 Bandar Seri Begawan
41 Dili
42 Kolonia
43 Koror
44 Majuro
45 Phnom Penh
46 Port Moresby
47 Rangoon
48 Suva
49 Ulaambaatar
50 Vientianne

EUROPE

51 Ashgabat
52 Baku
53 Bishkek
54 Chisinau
55 Dushanbe
56 Ljubljana
57 Luxembourg
58 Minsk
59 Nicosia
60 Reykjavik
61 Riga
62 Sasrajevo
63 Skopje
64 Tallinn
65 Tashkent
66 Tbilisi
67 Tirana
68 Valletta
69 Vilnius
70 Yerevan

NEAR EAST

71 Algiers
72 Beirut
73 Damascus
74 Doha
75 Manama
76 Muscat
77 Sanaa
78 Tripoli
79 Tunis

SOUTH ASIA

80 Colombo
81 Dhaka
82 Islamabad
83 Kabul
84 Kathmandu

WESTERN HEMISPHERE

85 Asuncion
86 Belize
87 Bridgetown
88 Georgetown
89 Kingston
90 La Paz
91 Managua
92 Montevideo
93 Nassau
94 Paramaribo
95 Port au Prince
96 Port of Spain
97 St. Georges
98 Tegucigalpa

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

I was led to believe the gentleman was going to withdraw the amendment. In the interest of time, I would just say that I understand what the gentleman is saying. He makes some very valid points. We can look into that. But if the gentleman is going to withdraw it, I will not take the body's time.

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

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

Mr. MICA. Mr. Chairman, I thank the gentleman for yielding. Again, I stayed out here yesterday and today to make this point, because this is critical to the future economic development, the growth of jobs in this country. With that spirit in mind, I appreciate the gentleman's offer to look further at this proposal.

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

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

□ 1115

AMENDMENT OFFERED BY MR. INSLEE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. INSLEE:

Page 38, line 1, insert after the dollar amount the following: ''(reduced by $5,000,000)''.

Page 45, line 25, insert after the dollar amount the following: ''(increased by $5,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Washington (Mr. INSLEE) and the gentleman from Virginia (Mr. WOLF) each will control 5 minutes.

The Chair recognizes the gentleman from Washington (Mr. INSLEE).

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

This is a small, but I think meaningful, amendment that will stop some of the cuts that have been going on for several years in our Coastal Zone Management account that aids so many communities on the coast and our watersheds across the country. Unfortunately, we have continued to seek cuts

in the NOAA budget, which have also impacted the Coastal Zone Management program over the last several years, this year a $500 million cut in the NOAA budget. Our amendment would restore simply $5 million to the Coastal Zone Management account to be used in numerous places across the country.

This summer our constituents are going to be going to the beaches, but unfortunately there is some bad news at those beaches. We have got algae, red tide, closures of shellfish beds in New England. We have got fish in 22 sites in coastal waterways found contaminated with toxics. One third of the beaches in the Great Lakes have been closed due to septic and sewage problems at one point or another in the last several years. We have got problems in our beaches, and we do not want to allow cuts to continue to occur to this Coastal Zone Management account.

I want to note this account is not just for the West and east coasts. This includes watersheds across the country, for instance, in the Ohio Cuyahoga County project to address some problems at Euclid Creek; in Pennsylvania in Bucks County, an award to help handicap access of Silver Lake Nature Center. This really is a nationwide program, and there are nationwide problems that we want to address.

There has been a strong bipartisan support for this program. I note the President, on our national oceans policy, has suggested we need increased, not decreased, funding with our coastal beaches, which are real jewels in the crown of our national assets.

This money would come out of the Bureau of Industry and Security. That bureau in this year's proposed budget would get a 14 percent plus-up. After our proposal, they would still have a 7 percent increase. So under our proposal, we preserve our beaches. We simply restore this to levels we had in 2002, and we still increase this agency that is responsible for export controls in the Department of Commerce. This is something to really get back to where we were in 2002 to protecting our beaches. We commend this to our Members.

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

Mr. WOLF. Mr. Chairman, I yield myself 3 minutes.

I rise in opposition to the gentleman's amendment. The amendment cuts the Bureau of Industry and Security by over 6 percent. What does that mean, because it does not sound that it is that significant? A cut of $5 million to the Bureau of Industry and Security would severely diminish efforts to deter weapons of mass destruction proliferation, would prevent sensitive dual-use items from falling into the hands of terrorists, and enforces the anti-boycott laws of the United States.

Some think that the Bureau of Industry and Security is actually too weak, and I may be in that category. American industry is being hampered in the international marketplace by the long processing time of export license applications. This amendment would roll back the progress that we have made in reducing the average processing time from 44 days to 32 days since 2003. With additional money we could probably get that down.

The trade deficit, the trade imbalance, this would really create a greater problem to deal with that. Quite frankly, I do not think this administration has done enough to deal with the trade deficit, the trade imbalance. So to take $5 million from the Bureau of Industry and Security would severely diminish our ability both on looking at weapons of mass destruction and technology and also hamper American business at the very time when we are urging them to sell American products abroad.

I understand the gentleman makes some good points with regard to the Coastal Zone Management, and maybe we can look at that as we go into conference. But I would not want to take that from here. I urge a ''no'' vote on the amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from West Virginia (Mr. MOLLOHAN).

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

There is no question that Coastal Zone Management grants are important, and the committee addressed it as best they could. This is not a good place to take money from. The mission of the bureau is to advance U.S. national security, U.S. foreign policy and economic interests. It regulates the export of sensitive goods and technologies, enforces export control, anti-boycott and public safety laws. This may not be a high visibility public organization, but they do extremely important work, and they have received accolades from the commission on intelligence capabilities of the United States regarding weapons of mass destruction report.

The point is that this agency does a lot of very good work, and I agree with the chairman. As we move forward, if there are any opportunities to put money into Coastal Zone Management grants or some of these other worthy accounts, we should take every opportunity to do that. However, again, this is a balancing act, and I think that the bill reflects the right balance with regard to this account.

I urge my colleagues to oppose the amendment.

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

This is a balancing act, but these accounts are in balance. This Bureau of Industry and Security is going up under the proposed bill by $10 million. It is going up $10 million, and under our amendment it would still go up $5 million. It would still go up 7 percent. This agency is getting bigger. It is having more capability under our amendment than it did last year, and it is going to have an ability to do its mission. But we will also at the same time with my amendment try to keep some of the toxics and sewage off the beaches that our constituents are going to see this summer in numerous places around this country.

And the challenges that we face in the oceans have not been going down. They are becoming greater. It does not make sense for this Congress year after year to cut the attention that we give to the beaches across this country and the lake shores from the Great Lakes to the Mississippi to the Gulf Coast and the Pacific. This is not our prioritization. Without this amendment there is an imbalance. Let us have both these accounts go up. Under my amendment, both of these accounts go up this year, and that is the prioritization.

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

Mr. WOLF. Mr. Chairman, I think all that is needed to be said has been said. I urge a ''no'' vote on the amendment, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington (Mr. INSLEE) will be postponed.

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

I yield to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I am pleased that this appropriations bill increases funding for the United States Marshals Service to enhance judicial protection. We have all heard of the deadly shootings that have claimed the lives of a judge, a judge's family members, a court reporter, a sheriff's deputy, and others inside and outside courthouses and even at private residences. This increase in funding is a good step, but I hope this Congress will continue to address this important issue so that we can ensure the safety in our courtrooms and the safety of our distinguished jurists.

Mr. Chairman, in addition to the physical attacks we have witnessed, the judiciary has also been the subject of many verbal assaults as well. The independence of the judiciary, a matter so fundamental to our separation of powers, has recently come under attack and has even become a matter of contention for some, even those at the highest levels of leadership in Congress who have made no effort to disguise a growing hostility towards the courts.

In bill after bill, many of our colleagues have been calling to strip the courts of jurisdiction over issues where they believe the courts have erred, or

might err, and arguing we have no need of them. The proposed sanction for judges who tread on this prohibited ground, and a word spoken in the Halls of Congress with less and less restraint: impeachment.

Perhaps the single greatest example of the magnitude of the challenge to the independence of the courts, though, came with the Congress's extraordinary intervention in the case of Terry Schiavo. This heartrending private tragedy became the focus of efforts to overturn the Florida courts' interpretation of Florida law. When the Federal courts rejected this private bill and its effort to provide jurisdiction to courts that could not properly exercise it, the reaction among many in Congress was one of wrath. The same congressional leaders who had spent the last several months trying to strip the Federal courts of jurisdiction were now trying to extend it where it did not belong. Some have decided that the independence of the judiciary is an inconvenient impediment to a results-at-all-costs philosophy.

As a Member of Congress with a strong interest in improving the relationship between the legislative and judicial branches, I have formed, with the gentlewoman from Illinois (Mrs. BIGGERT), a bipartisan congressional caucus dedicated to improving comity between the branches of government. Our Congressional Caucus on the Judicial Branch currently consists of some 35 Members from both sides of the aisle, and I encourage my colleagues who share our goal to join our efforts to restore the historical comity between our two branches.

For the last 2 years, Chief Justice Rehnquist has cited the deterioration in relations between the Congress and the Federal judiciary, using his year-end reports to urge a restoration of comity between the branches. He has quoted Chief Justice Hughes' admonition to the Congress of his day that ''in the great enterprise of making American democracy workable for all partners, one member of our body politic cannot say to another 'I have no need of thee.'''

So today I offer on the House floor a simple sense of Congress amendment to demonstrate to our colleagues in the judicial branch and to the American people that we are committed to working together with the other branches and to upholding the fundamental separation of powers that the Founders envisioned, even if we do not always agree with each other.

It reads: ''It is the sense of Congress that all necessary steps should be taken to provide adequate security for the judiciary and to protect and uphold the independence of the judicial branch.''

Mr. Chairman, efforts by Congress to force the courts to look at our transient wishes, rather than the Constitution, will damage the courts and undermine our own integrity. In the end, we cannot expect to belittle the courts without belittling ourselves. I urge support for this amendment.

I know the chairman has a point of order on this. I would like to, on a separate topic, just thank the chairman; and I would also like to thank not only the gentleman from Virginia (Chairman WOLF) but the gentleman from West Virginia (Mr. MOLLOHAN), ranking member, for their work on the NASA budget in particular as it impacted JPL. I really appreciate the chairman's diligence. He was very kind to meet and discuss this with me several times, to reach out to me after our discussions. I want to thank the chairman again for all his diligence on that issue.

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

Mr. SERRANO. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, there is no amendment. We were going to reserve a point of order on it. But I just want the RECORD to show, and I appreciate the gentleman's comments, that the bill provides $800 million for the Marshals Service, which is $41 million above the current year and $10 million above the request. This is in addition to the $12 million provided in the war supplemental for judicial security.

So with that I just thank the gentleman for his comments.

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Mr. SCHIFF. Mr. Chairman, if the gentleman will yield further, I thank the chairman, and I do appreciate the increases in courthouse security. I would ask my colleagues to join in supporting not only the physical security measures, but also the independence of the institution of the judiciary.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE III—SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,564,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE, AERONAUTICS AND EXPLORATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and exploration research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $9,725,750,000, to remain available until September 30, 2007, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to ''Exploration Capabilities'' in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106–377: *Provided*, That any funds provided under this heading used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

EXPLORATION CAPABILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of exploration capabilities research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $6,712,900,000, to remain available until September 30, 2007, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to ''Science, Aeronautics and Exploration'' in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106–377: *Provided*, That any funds provided under this heading used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $32,400,000.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for ''Science, Aeronautics and Exploration'', or ''Exploration Capabilities'' by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities or environmental compliance and restoration activities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated for institutional minor revitalization and construction of facilities, and institutional facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for

''Science, Aeronautics and Exploration'', or ''Exploration Capabilities'' by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 2008.

From amounts made available in this Act for these activities, subject to the operating plan procedures of the House and Senate Committees on Appropriations, the Administrator may transfer amounts between the ''Science, Aeronautics, and Exploration'' account and the ''Exploration Capabilities'' account during fiscal year 2006.

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Funding made available under the headings ''Exploration Capabilities'' and ''Science, Aeronautics, and Exploration'' in this Act shall be governed by the terms and conditions specified in the statement of managers accompanying the conference report for this Act.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; $4,377,520,000 to remain available until September 30, 2007, of which not to exceed $425,000,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That from amounts specified for Polar research and operations support, the National Science Foundation may reimburse the Coast Guard for such sums as determined by the Director of the National Science Foundation to be necessary to support the Foundation's mission requirements: *Provided further*, That any reimbursement pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That funds under this heading may be available for innovation inducement prizes.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, $193,350,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109, and rental of conference rooms in the District of Columbia, $807,000,000, to remain available until September 30, 2007.

SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; $250,000,000: *Provided*, That contracts may be entered into under ''Salaries and Expenses'' in fiscal year 2006 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,000,000: *Provided*, That not more than $9,000 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amemded, $11,500,000, to remain available until September 30, 2007.

This title may be cited as the ''Science Appropriations Act, 2006''.

Mr. WOLF (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 60, line 4, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, $3,747,118,000: *Provided*, That not to exceed 71 permanent positions and $9,804,000 shall be for the Bureau of Legislative Affairs: *Provided further*, That, of the amount made available under this heading, not to exceed $4,000,000 may be transferred to, and merged with, funds in the ''Emergencies in the Diplomatic and Consular Service'' appropriations account, to be available only for emergency evacuations and terrorism rewards: *Provided further*, That, of the amount made available under this heading, $340,000,000 shall be available only for public diplomacy international information programs: *Provided further*, That of the amount made available under this heading, $3,000,000 shall be available only for the operations of the Office on Right-Sizing the United States Government Overseas Presence: *Provided further*, That funds available under this heading may be available for a United States Government interagency task force to examine, coordinate and oversee United States participation in the United Nations headquarters renovation project: *Provided further*, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations of the House of Representatives and the Senate are notified of such proposed action.

In addition, not to exceed $1,469,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act; in addition, as authorized by section 5 of such Act, $490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security upgrades, $689,523,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $128,263,000, to remain available until expended, as authorized: *Provided*, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $29,983,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96–465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $410,400,000, to remain available until expended: *Provided*, That not to exceed $2,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized.

REPRESENTATION ALLOWANCES

For representation allowances as authorized, $8,281,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $9,390,000, to remain available until September 30, 2007.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22

U.S.C. 292–303), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, $603,510,000, to remain available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation as authorized: *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $910,200,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $10,000,000, to remain available until expended as authorized, of which not to exceed $1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $712,000, as authorized: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, $607,000, which may be transferred to and merged with the Diplomatic and Consular Programs account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $19,751,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, $131,700,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $1,166,212,000: *Provided*, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations of the Senate and of the House of Representatives the most recent biennial budget prepared by the United Nations for the operations of the United Nations: *Provided further*, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations budget for the biennium 2006–2007 to exceed the revised United Nations budget level for the biennium 2004–2005 of $3,695,480,000: *Provided further*, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *Provided further*, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

AMENDMENT NO. 33 OFFERED BY MR. HAYWORTH

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 33 offered by Mr. HAYWORTH:

Page 65, line 20, after the dollar amount insert the following: ''(reduced by $218,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Arizona (Mr. HAYWORTH) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. HAYWORTH).

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

Mr. Chairman, I rise to offer an amendment to this appropriations bill today that reduces United States contributions to the United Nations regular budget by 50 percent.

Mr. Chairman, the sad facts are these: Although plagued by scandal, the U.N. refuses to take reform seriously. Despite continued reports of U.N. employees taking advantage of the very people they are supposed to protect, allowing billions of dollars to be misspent in the oil-for-food relief program, twisted allegations of U.N. peacekeepers offering minors food in return for sex in the Congo, providing seats for China, Sudan and then Cuba at the Human Rights Commission, Kofi Annan refuses to consider necessary reforms to clean up the U.N. Indeed, Mr. Chairman, in as recently as today's headlines, we read of alleged connections and knowledge by the Secretary General into the dealings of the Swiss firm Cotecna in this horrible oil-for-food scandal.

The United Nations' regular budget is nearly $2 billion per year. Of that amount, the U.S. regularly contributes 22 percent. The underlying bill earmarks $440 million for the next year's U.N. budget, and even after, even after a $218 million reduction in dues, the United States will be the second largest contributor to the U.N. budget and the largest contributor to all other U.N. programs, including peacekeeping missions, voluntary programs and membership organizations.

Mr. Chairman, it is easier to amend the Constitution of the United States than the Charter of the United Nations, yet when we come to this floor at the outset of every Congress, we raise our right hand and express our allegiance to the Constitution of the United States.

It is time to restore the proper priorities. There is no clearer message, there is no clearer way to impact public policy, than to reduce the budget, to reduce the expenditures of the American taxpayer to this international budget.

I ask approval of this amendment.

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

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

The CHAIRMAN. The gentleman from Virginia will control the 5 minutes in opposition.

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

Mr. Chairman, the amendment strikes $200 million from the International Organization Account under State Department. Quite frankly, this would be devastating for the gentleman from Illinois (Chairman HYDE), who is bringing his bill up tomorrow.

This bill already, the bill we are now dealing with today, cuts $130 million from the President's request for international organizations. These cuts in the amendment offered by my good friend from Arizona would have a direct impact on critical organizations such as NATO, whose members are now providing training and support in Iraq and Afghanistan. Last night I heard the President talk about the success that is taking place in Afghanistan, and this amendment literally would try to take that success away. Further cutting this funding jeopardizes the effort.

Lastly, this body should know that along with the gentleman from New York (Mr. SERRANO), as ranking member, we had in our bill last year a task force chaired by Speaker Gingrich and Majority Leader Mitchell that just reported today. I read their entire report over the weekend on dramatic reforms to the U.N.

At a press conference today at 10 o'clock, I made the comments that because of the failure of the U.N. to deal with Darfur, and nobody has been more critical in this institution of the U.N. than I have, I led the first delegation to Darfur where genocide is taking place, we went through all those, but we set up the Gingrich-Mitchell task force of the bipartisan AEI, Heritage and all the groups like that, they have now come up with recommendations that will embolden the administration and this Congress to make sure that the reform is done.

Also, how can we even be dealing with this amendment today when the chairman of the Committee on International Relations is bringing his U.N. reform bill to the House floor this Thursday? The gentleman from Illinois (Chairman HYDE), God bless him and his committee, worked hard to ensure that reform takes place in the U.N. To take this amendment before the Hyde bill comes up is not only putting the cart before the horse, it just does not make any sense.

The bill of the gentleman from Illinois (Chairman HYDE), as the committee and Members know, requires

that 39 reforms must take place, and the Secretary of State must certify that these reforms have taken place. So with the Hyde bill and the Gingrich-Mitchell task force today, there will be reforms, but to just come in now before Mr. HYDE has an opportunity would be a mistake.

I know what the gentleman is trying to do, because I care desperately about Darfur. I led the first delegation to Darfur. I have been critical of the U.N., with the failure to address the issue of hunger. We had hunger in 1984 in Ethiopia when I was there, hunger 2½ years ago, and now hunger again; also there is a problem with the sexual predators who were U.N. peacekeepers in the Congo. But all of those issues, every one of those issues, are dealt with in the Gingrich-Mitchell task force that came out today, and dealt with in the resolution by the gentleman from Illinois (Chairman HYDE) that will come up either tomorrow or Friday.

So I understand what the gentleman's problems are, but this would not be a good thing to do. So I would ask Members on both sides, as good as the gentleman's intentions are, to just reject this amendment.

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

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

Mr. Chairman, I would simply point out to my friend, the distinguished subcommittee chair, I appreciate his passion, and I appreciate his pioneering work in terms of what has happened at Darfur. But this amendment was brought to this House in the previous Congress, and again we were told to wait. The fact is, as constitutional officers, it is incumbent upon us to move to stop abuses.

I would point out that this amendment does not change our funding for peacekeeping missions, voluntary programs and membership organizations.

Mr. Chairman, I yield 1½ minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I, too, recognize and appreciate the passion that comes from our chairman, and to sustain that level over a couple of days is an impressive thing to see. We have watched this United Nations for a lot longer than that. This amendment was on this floor 2 years ago, and, as I recall, there were 184 votes in support of this, even though we were asked to not bring it.

The issue is in front of Americans. They understand this. They understand the United Nations needs to have a strong, strong message from Congress to reform.

This is simply something that recognizes a flaw. We recognize a flaw in the fundamental structure of the United Nations. The flaw is that the people in this country believe that they are paying for a democratic organization that represents the voice of the people of the world, but the votes that come in the U.N. General Assembly are the votes that come from the mouthpieces of dictators, counteracting and counterbalancing the mouthpieces of a free people.

We need to have fundamental reform in the United Nations, we need to have a structure that represents the voice of the free people in the world, we need to have a Free World Caucus formed within the United Nations, and the United States has got to stop funding the kind of organizations that oppose our interests. That is what we are doing here, in disproportionate share. That is what the Hayworth amendment seeks to correct, and that is why I am supporting of the Hayworth amendment.

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

The CHAIRMAN. The gentleman from New York is not eligible to strike the last word. Pursuant to the order of the House of yesterday, that was reserved for the subcommittee chairman, the subcommittee ranking member and the full committee ranking member.

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Mr. SERRANO. I understand that, Mr. Chairman, and with a prior agreement, I do not know if it was manifested through the Chair, the gentleman from West Virginia (Mr. MOLLOHAN) has ceded that position to me for the time being.

The CHAIRMAN. The order of the House of yesterday prevents that request.

Mr. SERRANO. Then I will stand corrected and very quietly sit down.

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

The CHAIRMAN. The gentleman has 2 minutes remaining.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE).

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

I rise in opposition to this amendment offered by my colleague, the gentleman from Arizona (Mr. HAYWORTH). I think I share the frustrations that a lot of Members feel about the United Nations and some of the reforms, but this is a meat ax approach to it.

It is ironic that in the next 24 or 48 hours we are going to be considering on this floor legislation to reform the United Nations, and I think that legislation is the proper approach to this problem. It requires that certain steps be taken and that our United Nations representative make sure that those steps are being taken in the United Nations. Cutting off our dues, which is a legal responsibility, an agreement that we enter into with the United Nations, that each country does, to pay its share of the dues would be a little bit like my saying, well, I am for tax reform so, in the meantime, I am not going to pay my taxes. I think we have an obligation to pay our dues to the United Nations and pursue the reforms.

I would also add that there has been some significant improvements already in the United Nations' operations. I would hope we would reject this amendment.

The CHAIRMAN. The gentleman from Arizona (Mr. HAYWORTH) has 30 seconds remaining.

Mr. HAYWORTH. Mr. Chairman, do I have the right to close?

The CHAIRMAN. No. The gentleman from Virginia (Mr. WOLF) has the right to close.

Mr. HAYWORTH. Mr. Chairman, I yield myself the remaining time.

I thank my colleague from Arizona for his comments. I do not believe that his analogy about withholding tax payments in protest to the government is apt because, Mr. Chairman, our responsibility first and foremost, yes, even as a Member of an international body, is to make sure that American interests are protected and, by extension, the interests of those in the world who have been abused, such as the Iraqi people, such as those innocent, young people in the Congo who have been sexually assaulted. And with a corrupt world body, we have incumbent in this amendment an obligation to seriously reduce the funding and, by extension, might I add, allow others within the international community to pay their fair share.

I look forward to the bill from the chairman of the Committee on International Relations, but I would ask my colleagues to join with me in acceptance of this amendment, because enough is enough.

Mr. WOLF. Mr. Chairman, I move to strike the last word in order to yield to the gentleman from New York (Mr. SERRANO); but before I do, if I could just say one thing. The gentleman from Illinois (Mr. HYDE) spent a lot of time on this issue, and when a gentleman has worked to the degree that the gentleman from Illinois (Mr. HYDE) has, he ought to have a clear shot at the opportunity to pick it up.

Secondly, the Gingrich-Mitchell Task Force report has not been watered down. It is tough. And the gentleman from Iowa (Mr. KING) mentioned democracy. In the Gingrich-Mitchell report, there is a whole chapter urging the United States to push for the abolition of the Human Rights Commission, which Sudan was the chairman of and on, and Libya was on, and instead set up a democracy caucus, and also have someone in New York who would be working with the democracy.

Also, the gentleman from Arizona mentioned that we were told to wait. We did wait. He voted for the bill last year that set up the Gingrich-Mitchell Task Force, and that is what we have done. So nobody told the gentleman to wait. We acted based on something, and I would have acted whether we told the gentleman to act or not because I had concerns. I saw the suffering in Darfur, I know all about that; I have been to the Congo and saw it, but do

not cut the gentleman from Illinois (Mr. HYDE) out. I urge a ''no'' vote.

Mr. Chairman, I yield to the gentleman from New York (Mr. SERRANO).

Mr. SERRANO. Mr. Chairman, I also rise in opposition to the amendment. I think that as our country asks other nations throughout the world to join us in the fight against terrorism, we should be trying in every way possible to bring people closer to us, not to separate ourselves.

Now, granted, there are many people here, and many people throughout the diplomatic world, that have problems and concerns about the way the U.N. is functioning right now; but it is still better to be a very active member of the U.N. rather than in opposition to the U.N.

The U.N. is still the only body on Earth capable of dealing with so many of these issues. And rather than run them out of town, rather than continue to put ourselves in arrears, which we, under the leadership of the gentleman from Virginia (Chairman WOLF), accomplished recently, to take our country out of arrears at the U.N. in terms of our dues, this would put us right back in; and I just think it is the wrong message.

Are there problems? Yes. Should we address them? Absolutely. Should we demand reform? Absolutely. But we do not demand reform by withdrawing, but rather by staying involved.

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

Mr. WOLF. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Chairman, I thank my friend, the gentleman from Virginia, the subcommittee chairman.

I welcome the remarks of my friend from New York because, Mr. Chairman, it gives me an opportunity to clear up any misconception about this amendment. This does not withdraw United States participation from the United Nations, nor does it change our funding for peacekeeping missions, voluntary programs, and membership organizations.

What we are saying, and what duly elected, constitutional officers here in the people's House will say with passage of this amendment, is that in terms of the regular framework of budgeting for the United Nations, a process that my colleagues admit is horribly flawed, we will reduce that funding by one-half and invite others in the international community to come forward and pay their fair share.

My friend from Virginia has been very gracious with the time, and I thank him.

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

The CHAIRMAN. The gentleman from Virginia (Mr. WOLF) has 1 minute remaining under the order of the House yesterday, and 1 minute remaining under the 5-minute rule.

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

I appreciate the gentleman offering the amendment. The fact that it is offered and, hopefully, defeated on behalf of the gentleman from Illinois (Mr. HYDE) and others, will put pressure on. I think the U.N. will have an obligation to adopt the Gingrich-Mitchell recommendations and, also, the administration will have an opportunity, but also an obligation to do that, because the U.N. has failed. It failed in Darfur, it failed in Rwanda, it failed in Srebrenic, and it failed in Sarajevo. Hopefully, this amendment will fail, and the gentleman from Illinois (Mr. HYDE) will have an opportunity to have his bill and voted on tomorrow.

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

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Arizona (Mr. HAYWORTH).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona (Mr. HAYWORTH) will be postponed.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $1,035,500,000, of which 15 percent shall remain available until September 30, 2007: *Provided*, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable): (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; (2) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified that the United Nations has taken appropriate measures to prevent United Nations employees, contractor personnel, and peacekeeping forces serving in any United Nations peacekeeping mission from trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation, and to hold accountable any such individuals who engage in any such acts while participating in the peacekeeping mission; and (3) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: *Provided further*, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further*, That none of the funds made available under this heading are available to pay the United States share of the cost of court monitoring that is part of any United Nations peacekeeping mission.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $27,000,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $5,300,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182, $9,500,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $22,000,000: *Provided*, That the United States' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), $10,000,000, to remain available until expended, as authorized.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2006, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2006, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $6,000,000: *Provided*, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $50,000,000, to remain available until expended.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, including the purchase, installation, rent, and improvement of facilities for radio and television transmission and reception to Cuba, and to make and supervise grants for radio and television broadcasting to the Middle East, $620,000,000: *Provided*, That of the total amount in this heading, not to exceed $16,000 may be used for official receptions within the United States as authorized, not to exceed $35,000 may be used for representation abroad as authorized, and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures, not to exceed $500,000 in receipts from cooperating international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, $10,893,000, to remain available until expended, as authorized.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

SEC. 404. (a) The Senior Policy Operating Group on Trafficking in Persons, established under section 406 of division B of Public Law 108–7 to coordinate agency activities regarding policies (including grants and grant policies) involving the international trafficking in persons, shall coordinate all such policies related to the activities of traffickers and victims of severe forms of trafficking.

(b) None of the funds provided in this or any other Act shall be expended to perform functions that duplicate coordinating responsibilities of the Operating Group.

(c) The Operating Group shall continue to report only to the authorities that appointed them pursuant to section 406 of division B of Public Law 108–7.

SEC. 405. Any funds provided in this Act under ''Department of State'' used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

SEC. 406. (a) Subsection (f) of section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(f)) is amended—

(1) by striking ''(f) INELIGIBILITY.—An officer'' and inserting the following:

''(f) INELIGIBILITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an officer''; and

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

''(2) EXCEPTION IN CERTAIN CIRCUMSTANCES.—The Secretary may pay a reward to an officer or employee of a foreign government (or any entity thereof) who, while in the performance of his or her official duties, furnishes information described in such subsection, if the Secretary determines that such payment satisfies the following conditions:

''(A) Such payment is appropriate in light of the exceptional or high-profile nature of the information furnished pursuant to such subsection.

''(B) Such payment may aid in furnishing further information described in such subsection.

''(C) Such payment is formally requested by such agency.''.

(b) Subsection (b) of such section (22 U.S.C. 2708(b)) is amended in the matter preceding paragraph (1) by inserting ''or to an officer or employee of a foreign government in accordance with subsection (f)(2)'' after ''individual''.

AMENDMENT OFFERED BY MR. REYES

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. REYES:

Page 75, after line 22, insert the following new section:

SEC. 407. Congress—

(1) urges the President and Secretary of State to incorporate the investigative and preventative efforts of the Government of Mexico in the bilateral agenda between the Governments of Mexico and the United States and to continue to express concern to the Government of Mexico over the abductions and murders of more than 370 young women since 1993 in the Mexican cities of Ciudad Juarez and Chihuahua; and

(2) supports efforts to identify unknown victims through forensic analysis, including DNA testing, conducted by independent, impartial experts who are sensitive to the special needs and concerns of the victims' families, as well as efforts to make these services available to any families who have doubts about the results of prior forensic testing.

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

The CHAIRMAN. The gentleman from Virginia reserves a point of order.

The gentleman from Texas (Mr. REYES) is recognized for 5 minutes.

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

Mr. Chairman, my amendment addresses the abduction and murder of more than 370 young women in Ciudad Juarez and Chihuahua, Mexico. That is the community right across from my congressional district of El Paso, Texas.

Specifically, my amendment urges the State Department to assist Mexican authorities in identifying several unidentified victims through forensic analysis and other scientific assistance; and this would include also to put this subject into the bilateral agenda, which is a discussion between both administrations on a yearly basis.

Throughout my time in Congress, I have personally asked our Federal and local law enforcement agencies in El Paso to offer any assistance that they can legally provide, and they have made and are making very good efforts to help their counterparts on the Mexican side. Also, for years I have called on the Mexican Government to bring an honest and intensive investigative effort to bear on this issue so that it can solve these horrific crimes and do more to prevent future tragedies, which also, by the way, Mr. Chairman, included a conversation with President Fox in Mexico City on this very issue.

In 2003, I joined several of my congressional colleagues on a delegation to Juarez to meet with the families of these victims and to increase awareness on this important matter. Some of the most poignant testimony we heard was from families who have been unable to confirm whether their loved ones and their remains have been found or whether they are still missing.

As I have done in the past several years, this past weekend I raised this issue at the Inter-Parliamentary Group meeting in Rhode Island where several of my colleagues in Congress and our counterparts from the Mexican legislature came together to discuss significant issues that affect both the United States and Mexico.

This is an issue that has long been of particular concern to me and to all of my constituents in El Paso because, along with Juarez, our two cities form the largest border community in the world. Our cultures, our economies and, most importantly, our families are inseparably tied to each other in this region of the world. When they need help, especially with something as horrific as murders that have taken

place there, we need to step up and provide assistance, as all good neighbors often do. This amendment would provide Mexican authorities with additional assistance necessary to solve these crimes.

I strongly urge my colleagues to join me in this effort to assist Mexican authorities in identifying these victims and to put the perpetrators on the road to the penitentiary and to prevent violent acts against women of Juarez and Chihuahua. I want to thank the chairman and the ranking member for giving me the opportunity to offer this amendment.

Mr. Chairman, my amendment addresses the abduction and murder of more than 370 young women in Ciudad Juárez and Chihuahua, Mexico, near my congressional district of El Paso, Texas. Specifically, my amendment would urge the State Department to assist Mexican authorities in identifying several unidentified victims through forensic analysis and to include the topic in our bilateral agenda with Mexico.

Throughout my time in Congress, I have personally asked our federal law enforcement agencies in El Paso to offer any assistance they can legally provide, and they have made and are making good faith efforts to help their counterparts on the Mexican side. Also, for years I have called on the Mexican government to bring an honest and intensive investigative effort to bear to solve these horrific crimes and to do more to prevent future tragedies.

In 2003, I joined several of my congressional colleagues on a delegation to Juárez to meet with the families of the victims and increase awareness on this important matter. Some of the most poignant testimony we heard was from families who have been unable to confirm whether their loved ones' remains had been found or if they were still missing.

As I have done in the past several years, this past weekend I raised this issue at the Inter-Parliamentary Group where several of my colleagues in Congress and our counterparts in the Mexican legislature came together to discuss significant issues that affect both the U.S. and Mexico.

This issue has long been of particular concern to me and my constituents in El Paso because along with Juárez, our two cities form the largest border community in the world. Our cultures, economies, and most importantly, our families, are inseparably tied to each other. When they need help, especially with something as horrific as the murders that have taken place there, we need to step up to the plate and provide assistance, as all good neighbors do. This amendment would provide Mexican authorities with additional assistance necessary to solve these crimes.

I strongly urge my colleagues to join me in this effort to assist Mexican authorities in identifying the victims of these murders, put the perpetrators behind bars, and prevent violent acts against the women of Juárez and Chihuahua.

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

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POINT OF ORDER

Mr. WOLF. Mr. Chairman, I make a point of order.

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

Mr. WOLF. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill, and therefore it violates clause 2 of rule XXI.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The amendment proposes to express a legislative sentiment. As such, the amendment constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

Mr. WOLF. Mr. Chairman, I move to strike the last word. I yield to the gentleman from New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Mr. Chairman, this is a list put out by the Federal Bureau of Investigation. It lists the 74 United States citizens convicted of felonious crimes in the United States who are currently living in Cuba under the protection of the Castro regime. This list reads like a litany of the worst of the worst, hijacking an aircraft, piracy; and, of course, the highlight to me and the most regrettable is a woman by the name of Joanne Chesimard, who murdered in cold blood a New Jersey State Trooper and has been on the lam and really in the sanctuary of Cuba.

There are those in this body, I know, who take different sides on how we deal with Cuba, whether it is trade or travel. This has nothing to do with any of those, in my opinion.

We know that Cuba has been a haven and a sanctuary for terrorists. We know that people like Joanne Chesimard are living comfortably, while the family of that New Jersey State Trooper who was murdered two decades ago, three decades ago I should say, are still living with the agony and the pain of losing their loved one.

We know that people like Guillermo Morales, who was part of the FILN who terrorized this country for many years, is living in Cuba. This is a story from the Washington Post a couple of years ago. Guillermo Morales is a fugitive on the run from the FBI, but at this particular moment he is sipping a cappuccino in a chic hotel lobby in Havana.

Nine and a half of his fingers are gone, blown to bits by a bomb he was making in New York in 1978, but he manages to open a packet of sugar and stir it into his coffee. On the lam for 23 years, he has cleverly learned how to live with what remains of his hands and his life.

The convicted felon was facing 89 years in prison for illegal possession of firearms when he escaped from a New York hospital in 1979 while under police custody.

Mr. Morales and so many of his cohorts terrorized this country, led to the demise and permanent maiming of many individuals, including many members of the New York City Police Department and other law enforcement officials.

And what we wanted to do in an amendment, Mr. Chairman, is basically get the truth out to the people of Cuba. Our effort would be to disseminate through the United States Interest Section in Havana, and next week we are meeting with folks from Radio and TV Marti to tell the people of Cuba just the truth, just about transparency, that people like Joanne Chesimard has a $1 million bounty on her head, and that if returned to the United States, she would pay for her crime, and that anybody basically participating in bringing this woman back to justice as she rightly deserves will be the recipient of a million dollars.

So I would ask you, Mr. Chairman, in ways to just get that truth out for the legacy of those who have suffered at the hands of so many of these fugitives or convicted felons, murderers, that the people of Cuba just be told the truth. And we have the opportunity to do so through the Interest Section in Havana as well as Radio and TV Marti.

Mr. WOLF. Mr. Chairman, I thank the gentleman from New York (Mr. FOSSELLA) for bringing this up. We will work with him and see what we can do to help.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This title may be cited as the ''Department of State and Related Agency Appropriations Act, 2006''.

TITLE V—RELATED AGENCIES

ANTITRUST MODERNIZATION COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Antitrust Modernization Commission, as authorized by Public Law 107–273, $1,172,000, to remain available until expended.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, $499,000, as authorized by section 1303 of Public Law 99–83.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,096,000: *Provided*, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105–292), $3,200,000, to remain available until expended.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $2,030,000, to remain available until expended as authorized by section 3 of Public Law 99–7.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, $1,900,000, including not more than $3,000 for the purpose of official representation, to remain available until expended.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964 (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed $33,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, $331,228,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations have been notified of such proposals, in accordance with the reprogramming provisions of section 605 of this Act.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $289,771,000: *Provided*, That $288,771,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2006 so as to result in a final fiscal year 2006 appropriation estimated at $1,000,000: *Provided further*, That any offsetting collections received in excess of $288,771,000 in fiscal year 2006 shall remain available until expended, but shall not be available for obligation until October 1, 2006: *Provided further*, That any funds provided under this heading used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $211,000,000, to remain available until expended: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed $116,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That $23,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telephone Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2006, so as to result in a final fiscal year 2006 appropriation from the general fund estimated at not more than $72,000,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to enforce subsection (e) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t) or section 151(b)(2) of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 1831t note).

HELP COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the HELP Commission, $1,000,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $330,803,000, of which $313,683,000 is for basic field programs and required independent audits; $2,539,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $12,826,000 is for management and administration; and $1,755,000 is for client self-help and information technology.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2005 and 2006, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, $1,865,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $888,117,000, to remain available until expended; of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: *Provided*, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be credited to this account as offsetting collections: *Provided further*, That not to exceed $863,117,000 of such offsetting collections shall be available until expended for necessary expenses of this account: *Provided further*, That $25,000,000 shall be derived from prior year unobligated balances from funds previously appropriated to the Securities and Exchange Commission: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2006 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2006 appropriation from the general fund estimated at not more than $0.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 108–447, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $318,029,000: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: *Provided further*, That, of the funds made available under this heading, $1,000,000 shall be for the National Veterans Business Development Corporation: *Provided further*, That any funds provided under this heading used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $13,500,000.

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the Surety Bond Guarantees Revolving Fund, authorized by the Small Business Investment Act, as amended, $2,861,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $1,000,000, to remain available until expended: *Provided*,

That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2006 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, shall not exceed $6,000,000,000: *Provided further*, That during fiscal year 2006 commitments for general business loans authorized under section 7(a) of the Small Business Act, shall not exceed $16,500,000,000: *Provided further*, That during fiscal year 2006 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958, shall not exceed $3,000,000,000: *Provided further*, That during fiscal year 2006 guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $124,961,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, $79,538,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan program authorized by section 7(b), of the Small Business Act, $49,716,000, which may be transferred to and merged with appropriations for Salaries and Expenses, of which $900,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General; of which $40,316,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, to remain available until expended; and of which $8,500,000 is for indirect administrative expenses: *Provided*, That any amount in excess of $8,500,000 to be transferred to and merged with appropriations for Salaries and Expenses for indirect administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572), $2,000,000: *Provided*, That not to exceed $2,500 shall be available for official reception and representation expenses.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, $4,000,000, including not more than $5,000 for the purpose of official representation, to remain available until expended.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, $22,850,000, to remain available until expended.

Mr. WOLF (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 88, line 20 be considered as read and printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any amendments to this section?

AMENDMENT OFFERED BY MS. MOORE OF WISCONSIN

Ms. MOORE of Wisconsin. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. MOORE of Wisconsin:

Page 85, line 6, insert after ''this Act'' the following: '': *Provided further*, That of the funds made available under this heading, $5,000,000 shall be for operational assistance grants under Part B of title III of the Small Business Investment Act of 1958 (15 U.S.C. 689 et seq.), as authorized by section 368 of such Act (15 U.S.C. 689q), and $30,000,000 shall be for guarantees of debentures under Part B of title III of such Act, as authorized by section 20 of the Small Business Act (15 U.S.C. 631 note) as amended by section 121 of division K of Public Law 108–447''

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment which seeks to restore funding for a program of vital importance to distressed and blighted communities, both in urban and rural areas which are being left behind at an astounding pace in our global economy.

The New Market Venture Capital program really was designed by this House in 2000 for the purpose of making equity investments in small businesses that operate in economically distressed communities through the creation of the New Market Venture Capital companies.

Most conventional venture firms, of course, are very risk-averse to invest in these economically distressed areas, and this program was designed to fill that gap in access to capital.

During the first round of awards, the New Market Venture Capital program developed a company to serve Appalachia, the Central Appalachian region of Ohio, Kentucky, Maryland and West Virginia, and they invested this first round $2.8 million in four companies to help these rural communities.

Mr. Chairman, my amendment would provide $30 million in debenture guarantees and $5 million for operational assistance grants to fund the creation of a fresh round of New Market Venture Capital companies. And it is paid for by using funds from the Small Business Administration's salary and expense account.

Mr. Chairman, I have given you an example of how we have helped small rural areas, but I would like to call your attention to my own community in Milwaukee, Wisconsin, which I think bears mentioning.

In 2002, the Bureau of Labor Statistics found that 59 percent of African American males in Milwaukee were unemployed and out of the workforce. Since 1999, the unemployed residents of any color has increased by 80 percent. And in the last 5 years we have lost 33,000 manufacturing jobs. We know, of course, that small businesses create 75 percent of all new jobs and account for 99 percent of all employers.

Mr. Chairman, I would think that this would be a grand bipartisan effort. I urge my colleagues to support this amendment.

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

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

Mr. Chairman, the new markets program was intended to be a pilot project from fiscal year 2001 to 2006. There are still funds available for this program. There is no need to provide additional funds at this time, especially at the expense of terminating over 400 employees at the SBA. This would result in the termination, which would not be good for anyone. These employees work on critical technical assistance and loan programs at the SBA.

The amendment unnecessarily provides funds for a program that has almost $2 million left in its budget for technical assistance and over $3.1 million in loan authority. The program received a one-time funding of $59 million in fiscal year 2001 that has still not been entirely spent.

I urge the Members to reject the amendment. Particularly we would not want to cut employees who work on programs like small business development centers and women's business centers. So I understand what the gentlewoman from Wisconsin (Ms. MOORE) is doing, but I would urge that we reject the amendment.

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

Ms. MOORE of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just want to thank the gentleman from Virginia (Mr.

WOLF) for his stewardship over these funds. I just want to respond to a couple of things that he said.

First of all, the balance of those funds for the New Venture Capital Program has been rescinded, so it is not available for another round.

Also, you know, I do not know where the gentleman from Virginia (Mr. WOLF) received his figures about displacing 400 employees at the SBA. Certainly, I support the SBA and its functions, but we are talking here in this amendment about distressed communities and not disadvantages bureaucrats.

Mr. Chairman, I would offer to the gentleman from Virginia (Mr. WOLF) that if he were upset about the source of funding for this amendment, that he would not disparage the wonderful purpose of this amendment, but would rather seek to work with me to find ways to do this.

Surely we have an employment crisis. This initiative will help distressed communities versus just trying to buoy up a bureaucracy. Mr. Chairman, I would ask the gentleman from Virginia (Mr. WOLF) to work with me.

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

Mr. WOLF. Mr. Chairman, I yield the balance of my time also.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The amendment was rejected.

The CHAIRMAN. Are there further amendments to this section of the bill?

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

I yield to the gentleman from Kansas (Mr. TIAHRT), a member of the committee.

Mr. TIAHRT. Mr. Chairman, I want to just take a few minutes to tell you that I had intended to offer and withdraw an amendment today. It is brief, but very important for the future of the United States. The amendment would have simply said none of the funds made available in this act should be used to promulgate regulations without consideration of the effects of such regulations on the competitiveness of American business.

The reason this is important is because today the American economy is number one in the world, and it is the envy of the world. But there are some troubling signs. We have a trade deficit last year of $670 billion. This year's Federal deficit is down, but it is still over $300 billion.

We have seen high-paying, high-quality jobs move overseas. Now, these signs should concern Members of Congress, but should not surprise them, because over the last generation, legislation has been passed on the floor of this House that has put our number one standing in jeopardy and caused us to struggle to keep our economy as number one in the world, and clearly it is in jeopardy.

Legislation that has become law and then become regulation is forcing this struggle to occur within our economy. Regulations are one of the eight issues that we hope to address this year to help make America more competitive. These issues are actually barriers that keep us from keeping and creating jobs here in America. In addition to the regulations, we also want to address health care issues, education issues, research and development issues, energy policy issues, trade policy, tax policy and lawsuit abuse issues.

Today, though, I wanted to focus on regulations because it drives such a burden and barrier to our economy. First, though, I want to compliment the gentleman from Virginia (Chairman WOLF) and acknowledge what a great job the gentleman has done on this bill to make sure our competitiveness is addressed.

First of all, the gentleman from Virginia (Chairman WOLF) placed the National Science Foundation as a priority in the tight fiscal year with an increase of $44 million above the President's request.

The report language says America's advantage in science, math and technology is slipping. Our systems of basic scientific research and education are in crisis. While our countries are redoubling their efforts, the United States can remain the world's technology leader if it makes the commitment to do so.

It also has $3 million for the International Trade Administration and the Department of Commerce for the Office of China Compliance. And we need to continue our efforts to make sure that there is no antidumping policies going on through the Chinese Government.

With this bill we give the agencies with oversight of our science and technology policy and trade policy, commerce and small business development the tools to help American employers improve their competitiveness. Now we need to make sure they follow through with policies that reflect Congress' priorities.

It is my hope that each and every Federal agency should take into consideration the proposed policies on competitiveness of U.S. business and be held accountable for those effects.

To give you just a small idea how difficult it is because of regulations to start a business in America, I went to the Small Business Administration Web site, and I just listed some of the things that they have as what you need to consider before you start a business. First you need to get a business license; that could be your State, county or city. You should go to their Web site.

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There is then a certificate of occupancy. That is also a city and county zoning problem. There is business organization, whether you are a sole proprietor, a partnership, a corporation, or a limited liability company. Then you have to register your trade name.

Then you have to apply for trademarks, patents, and copyrights. If it is a trademark, it is a State registration and a Federal registration through the Department of Commerce. If it is a patent issue, it is to the U.S. Patent and Trademark Office. If it is a copyright, you go to the U.S. Library of Congress. If it is tax information, you have Federal taxes, you have State taxes, you have local taxes. There is also self-employment tax. There is business insurance, sales tax numbers; and it just goes on and on, Mr. Chairman.

I just want to tell my colleagues it is difficult to start businesses here. We have to stop creating barriers and remove them so that America can be competitive in the future and so that we can retain our number one standing.

Mr. WOLF. Mr. Chairman, I thank the gentleman and thank him for his comments.

Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 106, line 22, be considered as read and printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill through page 106, line 22, is as follows:

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2006, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices; (6) reorganizes, programs or activities; or (7) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act

that remain available for obligation or expenditure in fiscal year 2006, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 607. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 608. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds that: (1) the United Nations undertaking is a peacekeeping mission; (2) such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 609. The Departments of Commerce, Justice, and State, the National Science Foundation, the National Aeronautics and Space Administration, the Federal Communications Commission, the Securities and Exchange Commission and the Small Business Administration shall provide to the Committees on Appropriations of the Senate and of the House of Representatives a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

SEC. 610. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2006.

SEC. 611. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 612. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 613. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2006.

SEC. 614. None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

(1) the implementation of any tax or fee in connection with the implementation of subsection 922(t) of title 18, United States Code; and

(2) any system to implement subsection 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

SEC. 615. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to obligate more than $625,000,000 during fiscal year 2006 from the Fund established by section 1402 of chapter XIV of title II of Public Law 98–473 (42 U.S.C. 10601).

SEC. 616. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 617. None of the funds appropriated or otherwise made available to the Department of State shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the determination of the Secretary of State under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Secretary of Homeland Security has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section.

SEC. 618. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 619. The Departments of Commerce, Justice, and State, the Securities and Exchange Commission and the Small Business Administration shall, not later than two months after the date of the enactment of this Act, certify that telecommuting opportunities have increased over levels certified to the Committees on Appropriations for fiscal year 2005: *Provided*, That, of the total amounts appropriated to the Departments of Commerce, Justice, and State, the Securities and Exchange Commission and the Small Business Administration, $5,000,000 shall be available to each only upon such certification: *Provided further*, That each Department or agency shall provide quarterly reports to the Committees on Appropriations on the status of telecommuting programs, including the number and percentage of Federal employees eligible for, and participating in, such programs: *Provided further*, That each Department or agency shall maintain a ''Telework Coordinator'' to be responsible for overseeing the implementation and operations of telecommuting programs, and serve as a point of contact on such programs for the Committees on Appropriations.

SEC. 620. The National Aeronautics and Space Administration and the National Science Foundation shall, not later than two months after the date of the enactment of this Act, certify that telecommuting opportunities are made available to 100 percent of the eligible workforce: *Provided*, That, of the total amounts appropriated to the National Aeronautics and Space Administration and the National Science Foundation, $5,000,000 shall be available to each agency only upon such certification: *Provided further*, That both agencies shall provide quarterly reports to the Committees on Appropriations on the status of telecommuting programs, including the number of Federal employees eligible for, and participating in, such programs: *Provided further*, That both agencies shall designate a ''Telework Coordinator'' to be responsible for overseeing the implementation and operations of telecommuting programs, and serve as a point of contact on such programs for the Committees on Appropriations.

SEC. 621. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) The Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 622. None of the funds made available in this Act may be used in violation of section 212(a)(10)(C) of the Immigration and Nationality Act.

SEC. 623. None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism.

SEC. 624. None of the funds made available in this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has provided support for acts of international terrorism.

SEC. 625. (a) Except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–453), as amended by section 629 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

(b) Notwithstanding the prohibition in subsection (a), a project to construct a diplomatic facility of the United States may include office space or other accommodations for members of the Marine Corps.

SEC. 626. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 627. Of the amounts made available in this Act, $393,616,321 from ''Department of State''; $27,938,072 from ''Department of Justice''; $14,107,754 from ''Department of Commerce''; $426,314 from ''United States Trade Representative''; $575,116 from ''Broadcasting Board of Governors''; $291,855 from ''National Aeronautics and Space Administration''; and $79,754 from ''National Science Foundation'' shall be available for the purposes of implementing the Capital Security Cost Sharing program.

SEC. 628. None of the funds made available in this Act may be used in contravention of the provisions of subsections (e) and (f) of section 301 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25; 22 U.S.C. 7631(e) and (f)).

SEC. 629. None of the funds made available to NASA in this Act may be used for voluntary separation incentive payments as provided for in subchapter II of chapter 35 of title 5, United States Code, unless the Administrator of NASA has first certified to Congress that such payments would not result in the loss of skills related to the safety of the Space Shuttle or the International Space Station or to the conduct of independent safety oversight in the National Aeronautics and Space Administration.

SEC. 630. Notwithstanding 40 U.S.C. 524, 571, and 572, the Administrator of the National Aeronautics and Space Administration may sell the National Aeronautics and Space Administration-owned property on the Camp Parks Military Reservation, Alameda County, California, and credit the net proceeds of such sales as offsetting collections to its Exploration, science and aeronautics account. Such funds shall be available until expended; to be used to replace the facilities at Camp Parks that are still required, to improve other National Aeronautics and Space Administration-owned facilities, or both.

SEC. 631. (a) IN GENERAL.—The President of the United States through his designee the Administrator of the National Aeronautics and Space Administration and in consultation with other Federal agencies shall develop a national aeronautics policy to guide the aeronautics programs of the Administration through 2020.

(b) CONTENT.—At a minimum, the national aeronautics policy shall describe—

(1) the priority areas of research for aeronautics through fiscal year 2011;

(2) the basis on which and the process by which priorities for ensuing fiscal years will be selected;

(3) the facilities and personnel needed to carry out the program through fiscal year 2011; and

(4) the budget assumptions on which the national aeronautics policy is based.

(c) CONSIDERATIONS.—In developing the national aeronautics policy, the Administrator shall consider the following questions, which shall be discussed in the policy statement—

(1) the extent to which NASA should focus on long-term, high-risk research or more incremental research or both and the expected impact on the U.S. aircraft and airline industries of those decisions;

(2) the extent to which NASA should address military and commercial needs;

(3) how NASA will coordinate its aeronautics program with other Federal agencies; and

(4) the extent to which NASA will fund university research and the expected impact of that funding on the supply of U.S. workers for the aeronautics industry.

(d) CONSULTATION.—In developing the national aeronautics policy, the Administrator shall consult widely with academic and industry experts and with other Federal agencies. The Administrator may enter into an arrangement with the National Academy of Sciences to help develop the national aeronautics policy.

(e) SCHEDULE.—The Administrator shall submit the new national aeronautics policy to the House and Senate Committees on Appropriations and to the House Committee on Science and the Senate Committee on Commerce, Science, and Transportation no later than the date on which the President submits the proposed budget for the Federal government for fiscal year 2007 to the Congress. The Administrator shall make available to the Congress any study done by a non-governmental entity that was used in the development of the national aeronautics policy.

SEC. 632. Any funds provided in this Act under ''National Science Foundation'' used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

SEC. 633. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada, or

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 634. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR Sec. 478.112 or .113, for a permit to import United States origin ''curios or relics'' firearms, parts, or ammunition.

SEC. 635. None of the funds made available in this Act may be used to include in any bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of Article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of Article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of Article 15.9 of the United States-Morocco Free Trade Agreement.

The CHAIRMAN. Are there any points of order to this portion of the bill?

POINT OF ORDER

Mr. PORTER. Mr. Chairman, I raise a point of order against section 607. This provision violates clause 2(b) of House rule XXI. It proposes to change existing law and, therefore, constitutes legislation on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this provision proposes to change existing law with respect to eligibility requirements to receive a Federal contract with funds made available by this act.

The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the provision is stricken from the bill.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 108, line 7, be considered as read and printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill through page 108, line 7, is as follows:

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $62,000,000 are rescinded.

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

(RESCISSION)

Of the unobligated balances available under this heading, $38,500,000 are rescinded.

COMMUNITY ORIENTED POLICING SERVICES

(RESCISSION)

Of the unobligated balances available under this heading, $86,500,000 are rescinded.

DEPARTMENT OF COMMERCE

EMERGENCY STEEL GUARANTEED LOAN PROGRAM ACCOUNT

(RESCISSION)

Of the unobligated balances available under this heading from prior year appropriations, $35,000,000 are rescinded.

RELATED AGENCIES

UNITED STATES-CANADA ALASKA RAIL COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading from prior year appropriations, $2,000,000 are rescinded.

AMENDMENT OFFERED BY MR. MCDERMOTT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MCDERMOTT:

Page 108, after line 7, insert the following (and make such technical and conforming changes as may be appropriate):

TITLE VIII—MISCELLANEOUS

SEC. 801. None of the funds made available by this Act may be used to prosecute any individual for travel to Cuba (including travel for the purpose of visiting a member of the immediate family of such individual).

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Washington (Mr. MCDERMOTT) and the gentleman from Virginia (Mr. WOLF) each will control 5 minutes.

The gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

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

Mr. Chairman, I rise to offer an amendment to the Science, State, Justice, Commerce appropriations bill; and I do this in the name of freedom and justice for all Americans.

I call it the Carlos Lazo amendment, named for a brave U.S. soldier from Seattle who has been denied his right and freedom to visit his children in Cuba because of onerous new travel restrictions imposed by this administration.

Sergeant Lazo is a medic in a combat unit that served for a year in Fallujah, one of the most dangerous places in Iraq. He is a shining example of everything positive about America and about the men and women who serve in the Armed Forces.

But Carlos Lazo has been victimized by the administration's policy which has gone tilt. Carlos is caught up in the latest ploy by the United States Government to topple Castro. This time the administration is banking on restricting travel to overthrow the Castro government.

The greatest impact from this new policy is that Sergeant Carlos Lazo cannot visit his children in Cuba. One man desires only to be a father on Father's Day.

This is a man who risked his life in defense of America, a man who risked his life to reach America on a raft, a man who wants only to see and hug his children, a man in uniform defending America even as America denies his freedoms.

Last June, Carlos tried to visit his children in Cuba before the stringent new travel restrictions were put into effect. He was on leave from Iraq and went to Miami to board a charter flight to Cuba, but he was turned away because flights were flying empty to Cuba.

There he stood in his uniform, having just come back from the combat zone. He stood in an airport with a ticket in his hand, barred from a chance to visit his children, denied the most basic freedom in this country.

Carlos returned to the war zone in Iraq without seeing his children. That is the way it will stay unless the government intercedes.

Current law allows Americans to visit a family in Cuba only once every 3 years. No exceptions are made for soldiers serving abroad, families with medical emergencies, or other hardship cases.

As it stands now, Carlos can do nothing except wait for an arbitrary deadline to expire. It will take another year before he can go to Cuba. He is a naturalized American father who has been caught up in a national obsession to overthrow Castro. Decade after decade, plot after plot, the facts remain the same.

The policy, or the plot, call it what you will, the new travel restrictions inflict pain and suffering on an American, not Castro. Carlos is a person, not a political pawn, a soldier who defended his country and asks only for his country to defend his freedom.

He came to America on a raft in the 1990s. Since then he has made a new home and a new life. He has given back to his country and served with distinction. He is a patriot.

The least we can do is allow Carlos to visit his children in Cuba. Allowing him to travel to Cuba would say much more about freedom and opportunity in America than any new administration policy.

You want to hurt Castro, send Carlos to see his children. His freedom, like any American, to travel freely and speak freely and act freely will say more about what America stands for than all the rhetoric and rules the administration could ever implement.

The Department of Treasury oversees the travel ban. So far they have refused to grant him any kind of waiver. It will take us to cut through that.

Let Carlos be reunited with his children in Cuba in time for Father's Day. There is room in the heartland of America to have a heart.

I urge the passage of this amendment.

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

Mr. WOLF. Mr. Chairman, I yield myself 1 minute, and I rise in opposition to the amendment.

I think Members ought to know that the U.S. State Department lists the Cuban dictatorship as one of five remaining state sponsors of terror. The others are Iran, Libya, North Korea, and Syria.

According to the State Department's most recent patterns of global terrorism, Cuba continues to support foreign terrorist organizations and several terrorists and dozens of fugitives from the U.S., as the gentleman from New York (Mr. FOSSELLA) just spoke.

Also, if anyone is listening on the other side, I have sincerely asked for the opportunity to visit the country of Cuba through the legal ways. Everyone who always wants to lift the sanctions gets to go, but in a sincere effort at going down to find out what happens, I never can go. Something tells me there is something funny about this. We want to go on good faith. We ask to go through the normal process. We cannot get there.

I think this is a bad amendment, and I urge the rejection of it.

Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I thank the gentleman from Virginia for the time.

I, too, rise in opposition to the McDermott amendment. At a time when the promotion of the rule of law and the consolidation of democratic institutions are pivotal to our U.S. national security strategy, we should not and we must not support an amendment that runs contrary to this commitment.

This amendment is proposing that we interfere with law enforcement; that we interfere with the U.S. courts by prohibiting the use of taxpayer funds to prosecute those who are traveling to Cuba in violation of U.S. law. What happened to the separation of powers, an element that is one of the centerpieces of our constitutional system?

As the gentleman from Virginia (Mr. WOLF) pointed out, we had just talked about U.S. fugitives that are given safe haven by the Castro regime in Cuba in an effort to bring them to justice. We want them to come here to the United States. How can we now turn around and support an amendment today that would essentially afford congressional protection to U.S. lawbreakers?

Support for this amendment would empower the enemies of the United States, such as the Castro dictatorship, and we must reject the McDermott amendment.

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

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

There was no objection.

AMENDMENT OFFERED BY MR. FLAKE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FLAKE:

Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to section 740.12 of title 15, Code of Federal Regulations (relating to license exemptions for gift parcels and humanitarian donations for Cuba), as published in the Federal Register on June 22, 2004 (69 Fed. Reg. 34565–34567).

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Arizona (Mr. FLAKE) and the gentleman from Virginia (Mr. WOLF) each will control 10 minutes.

The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

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

This amendment, Mr. Chairman, simply seeks to prohibit the use of funds from enforcing a particularly onerous rule with regard to Cuba. There is a section of the code in the U.S. Federal regulation that governs the sending of gift parcels to countries for which there are otherwise strict limits of what can be sent.

Under the heading of ''Eligible Commodities,'' it reads: ''For Cuba, the only eligible commodities are food, medicines, medical supplies, radio equipment and battery for such equipment.''

Any reasonable person would agree that we should be permitted to send such items to ordinary Cubans.

In reading the next paragraph, however, we are told what cannot be sent in gift parcels to Cubans, and these restrictions apply only to Cuba: clothing, personal hygiene items, seeds, veterinary medicines and supplies, fishing equipment and supplies, and soap-making equipment, as well as any other items normally sent as gifts.

In other words, the U.S. Code of Federal Regulations does not permit the sending of gift parcels to Cuba containing clothes, personal hygiene items, seeds and other very basic goods, goods that would modestly improve the lot of ordinary Cubans.

It just seems silly to me, Mr. Chairman, that ordinary Americans cannot send to ordinary Cubans items like toothpaste and toilet paper. That is what this amendment is all about.

When the opponents rise and take their time, they will talk about obviously the awful dictator that Fidel Castro is, and he is. That is precisely why we need to reverse this. The Cuban people have enough burdens placed upon them living under Fidel Castro.

Why impose additional burdens on them by denying their relatives the ability to send personal hygiene items to them? What will denying toothpaste and toilet paper do to the regime in Cuba? I would submit that we are not going to prop up the regime in Cuba by sending toilet paper and toothpaste.

President Reagan once said, We must be careful in reacting to actions of the Soviet government not to take out our indignations on those not responsible. That is exactly what this amendment is seeking to reverse. We are taking out our indignations on Fidel Castro by imposing restrictions on what family members and relatives can send to ordinary Cubans. It is simply wrong.

America is a better country than that. We ought to stand taller than that. That is what we are trying to do here.

Keep in mind, if a Boy Scout from Mesa, Arizona, or somewhere in Virginia or Indiana or any State of the Union does a good turn for the day and sends soap or soup or tomato seeds to someone in Cuba, that would be a violation of the U.S. Code. If a Girl Scout in Michigan or Kansas happens to have a cousin in Cuba with a broken leg, the regulations would not allow her to send crutches to her Cuban cousin. Again, that is forbidden by our regulation.

What has our policy come to? Whatever happened to the proverb that says if you teach a man to fish, you feed him for a lifetime? Yet we prohibit sending a fishing line and hooks so ordinary Cubans can have a better meal. The Government of Cuba is making it difficult for Cubans to feed themselves. So why can Americans not send fishing poles and hooks to them?

□ 1230

Who really believes a small service project by a Boy or Girl Scout would actually be propping up the brutal Castro regime, which has unfortunately served 45 years on its own?

I am not trying to trivialize the serious nature of the issues we are dealing with in Cuba. It simply is wrong to deny ordinary Americans the ability to send gift items like this to ordinary Cubans.

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

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. DELAY), the majority leader.

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

Mr. Chairman, for all the good intentions of its author and proponents of this amendment, it is just bad policy. It operates under the notion that in a postal system packages are delivered on time, they are unopened, and at no undue cost to the addressee. But the postal service in Fidel Castro's Cuba does not operate like the postal service in the hometown of the gentleman from Arizona. Instead, all the packages, most of which are from family members trying to help their relatives struggling to survive in Castro's command economy, are immediately seized by the state and held essentially as the personal property of the Maximum Leader in a central depository somewhere in Havana.

This really happens. The packages are opened, they are rummaged through, and they are pilfered, after which, in the best-case scenario, the addressee is called and told how much of a service charge it will cost them to get their parcel. That is what happens in a Communist country with a dictator. Every dime of goods contained in those packages, what is left in them after they are rifled through, is a dime Castro's regime does not have to spend on services for his people and, therefore, a dime he can spend on another torture chamber, a few more secret police officers, or a deposit in his Swiss bank account.

The only suffering or hardship that this amendment would erase is Fidel Castro's. He is a murderer, and he is a thief. His government is a thugocracy, and his postal service, if you can call it that, is a profit center for a massive criminal enterprise of oppression and terror. Resources that make their way into Cuba, whatever their origin, whatever the original intent of their transmission, have only one purpose, one purpose: To enrich, entrench, and empower a regime that has kidnapped, imprisoned, and murdered 100,000-plus Cuban citizens over the last 45 years.

The Bush administration has rightly concluded that the only good Cuba policy is one that expedites the collapse of the Castro regime. To loosen the administration's rules would be to reward Castro for his recent brutal crackdown on democratic dissidents, dozens of whom remain in his prisons. To loosen the rules would send a signal, a signal, words have consequences when we speak them on this floor, and if this amendment passes loosening these rules, it would send a signal to those

brave, peaceful dissidents and their families that the United States has tired of the struggle against totalitarianism.

Mr. Chairman, we cannot send such a signal. We cannot reward this tyrant and his terrorist state. We cannot allow this amendment to become law. We must stand with the Cuban people, stand with the Cuban people in their struggle against Castro and deny him the opportunity to exploit American generosity.

Vote for the Cuban people. Vote against Castro's regime. Vote ''no'' on this amendment.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume to respond to the majority leader's comments, that I would think standing with the Cuban people would be to allow them to receive personal hygiene items, like toothpaste and toilet paper. Keep in mind these restrictions are imposed against Americans, not Cubans. These are imposed against American families from sending to relatives in Cuba these items. These are not restrictions on Castro. These are restrictions on Americans.

We that believe in freedom ought to give Cuban Americans and others the freedom to make the choice, do we send gift parcels or do we not?

Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

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

Mr. Chairman, one thing that I feel confident in doing is to reassure my friend, the majority leader, that denying the Cuban people toothpaste and toilet paper will not bring down Fidel Castro. The reality is that Fidel Castro has been in power for more than 45 years, despite the existence of an embargo on a whole variety of items. What we have done by denying families here in the United States the ability to send toilet paper and toothpaste to their families back in Cuba is to deny something very fundamental that reflects the deepest American tradition and values of helping our extended families who still live in their countries of origin.

At one level it is about toothpaste and toilet paper, but the real issue here is about family. That is what this is about. Let us not even make this a debate about Fidel Castro, because, trust me, Fidel Castro will survive whether there is an ounce of toothpaste that goes into Cuba from a Cuban American family. That is not what this amendment is about.

I respect the fact that there is diversity of opinion in terms of how we deal with the Castro government, but let us get past the politics and understand that this is about family, because I can assure you that standing with the Cuban people means to provide them the kind of assistance on a regular basis so that they can live a life, at least in their home, in the privacy of their daily existence, a life that has some dignity. Some dignity. That is the least we can do for the Cuban people.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, the way that the Cuban people will regain their dignity is to regain their freedom. While they are oppressed by a regime that denies them all human rights and denies them their dignity, they will not be able to live as all peoples are meant to.

Let us remind ourselves what we are dealing with here. As the gentleman from Virginia (Mr. WOLF) stated, there are five remaining terrorist states in the world, after the fall of Saddam Hussein and the liberation of Iraq. Five remaining terrorist states. But the FBI will tell you, and I would request our colleagues seek this information and this briefing from the FBI, that the most aggressive and dangerous anti-American espionage service of those five terrorist states remaining is the one of the Cuban dictatorship.

Yes, it is a bankrupt economy. Castro does not care about the suffering of the Cuban people. He does care about one thing, though: Intelligence services to fight against the interests of the leader of the free world, the United States. Nineteen Cuban agents, designated as spies, were expelled from the United States in recent years because of their work as spies. Fourteen members of Castro's spy network have been indicted and are in Federal prison today.

The President of the United States, a year ago, after much study, came forth with a very serious and comprehensive policy, which is very similar to the Reagan administration's policy towards the Soviet Union. One of the ingredients of President Bush's policy with regard to the Cuban dictatorship, one of five remaining anti-American terrorist states, is the reduction of hard currency to that regime.

Now, as was stated by the majority leader, Castro extorts payment even on humanitarian packages, at both ends of the process. The bottom line is that these regulations permit humanitarian aid to continue. Our constituents are the ones who send that humanitarian aid.

Mr. FLAKE. Mr. Chairman, may I ask what the time is remaining and who has the right to close?

The CHAIRMAN. The gentleman from Arizona (Mr. FLAKE) has 3 minutes remaining, and the gentleman from Virginia (Mr. WOLF) has 7 minutes remaining and the right to close.

Mr. FLAKE. Mr. Chairman, I yield 1½ minutes to the gentleman from Idaho (Mr. OTTER).

Mr. OTTER. Mr. Chairman, I thank the gentleman from Arizona for yielding me this time and for his leadership, his continued leadership, and his exhaustive leadership on this issue.

I really had not intended to speak on this issue. I came down to speak to an amendment that I am prepared to offer against this legislation. But I just heard my good friend and our leader on the majority side make some statements relative to the uncertainty and the government's ability to look through any matter of package that may go from the United States to Cuba.

I would just remind the leader, although I see he has already left the floor, and other people in this audience that under the PATRIOT Act, what is the difference between our policy toward Cuba today and our policy toward our own people? That package could be in the hands of our postal service, which is supposed to be sacrosanct, and our government can go through it, by the way, by administrative rule rather than by the balance of the court providing for that request. It can be in our bank, it can be in our library, it can be, quite frankly, over the safety of the threshold of our own homes, and our government can still go and look through those packages.

So I would say it is an argument that has no teeth, because if we are going to criticize a government 90 miles off our shore for that kind of action, we ought to be taking a look in our own back yard before we move in that direction.

I would also like to say, Mr. Chairman, we are hearing an awful lot about CAFTA these days, and I would just tell you that if CAFTA truly offers all of the great promise that we are told by everybody, and that by treating these fledgling democracies, these people that really want to be a democracy in these five other nations, why didn't we go sell that to Cuba?

Mr. WOLF. Mr. Chairman, how much time do I have left?

The CHAIRMAN. The gentleman from Virginia has 7 minutes remaining.

Mr. WOLF. Mr. Chairman, I yield 30 seconds to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, it is important to defeat this amendment. I thought I heard it all on this floor, but to hear a thugocracy called a fledgling democracy is something I never thought I would hear here. It is a regime of gangsters by gangsters and for gangsters, against which President Bush has a very important and solid policy that will succeed. Cuba will soon be free.

Mr. Chairman, I ask my colleagues today is to continue to stand with the Cuban people against the thugocracy and to defeat this amendment.

□ 1245

Mr. WOLF. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I thank the gentleman for yielding me this time.

We have heard the proponents of this amendment argue that they want to revoke U.S. policy toward the Cuban dictatorship. They say they are doing it to help the Cuban people. When we

speak of helping the Cuban people, we need to focus on their freedom. Help is liberty. Help is working to ensure that every Cuban can speak their minds and not be imprisoned and not be beaten up for it. True humanitarian assistance is that which is not manipulated by the dictatorship in order to strengthen its own stranglehold on the Cuban people. Providing the tyrannical ruler with an escape valve to the dictatorship, that is not helping the Cuban people.

If we truly want to help the Cuban people, let us do so by working towards the day that Cubans from every background, every race, every ethnicity, and every religion will be able to live freely, free from fear and free from intimidation in a truly democratic Cuba.

Despite years of repression, there is a growing independent civil society movement on the island. Cubans today are trying, against the dictatorship, to organize themselves as independent journalists and independent librarians. Let us help them liberate themselves from totalitarianism, and the way to do that is to send true humanitarian aid, aid that is freedom and liberty and justice.

More than $1 billion is sent annually in funds and goods, sent to Cuba from those living outside of the island through various methods. Castro is making a lot of money, and little of it is going to benefit the Cuban people. So while Castro and his cronies continue to enrich themselves so they can maintain their hold on the Cuban people, what is happening to the Cuban people? They are left to struggle and suffer as a result of the dictatorship's failed policies.

It is not the U.S.'s fault that the Cuban people are in misery; it is Castro's fault. The U.S. policy is to help the Cuban people bring freedom, bring liberty, and bring that voice of justice that they so desperately need. Let us stand with the Cuban people today and reject the Flake amendment.

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

Mr. Chairman, I find it interesting, the gentleman mentioned that our constituents send these packages. If that is true, why would they if they are all opened and money is taken off the top? That may well be the case, but they make that choice. They ought to make that choice. My constituents ought to have that choice. That is what America is about, allowing people to have the freedom to make that choice.

This amendment will allow them that freedom. The current policy restricts their freedom to make that choice. They are told they cannot send these items. Again, it is back to toothpaste and toilet paper. That is what we are talking about here.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, when I listen to this debate, I am reminded of the phrase ''the more things change, the more they remain the same.''

This is very similar to the debate when the Soviet Union was still in existence and President Reagan had a comprehensive policy to try to eliminate that regime. And the debate is the same: it is going to hurt the people. When President Reagan was trying to cut off the funding: it is going to hurt the Soviet people; they are the victims.

No. No, Ronald Reagan was right then; George W. Bush is right today, which is why the Assembly of Civil Society, the umbrella organization, opposition organization within Cuba, that just recently had a heroic meeting in Havana, publicly supports the President's policy. They understand that dignity is not a gift. They understand that the only true road to dignity is freedom: freedom of election, freedom of association, freedom of religion, and freedom of the press.

This amendment would go a long way to reversing the policy that is working. Just as many wanted to reverse Reagan's policy that succeeded in defeating the Soviet Union, this amendment is trying to reverse the Bush policy that will ultimately allow the Cuban people to live in freedom, the freedom that they so much deserve.

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

Mr. Chairman, let me once again remind Members what this is all about. We all know the brutality of the Castro regime and how they deprive people of basic goods. Because of that, why in the world do we add to their burdens? Why do we deny Americans, Cuban families, Cuban-American families the ability to send items to their families? That is what this amendment is about.

We will hear all kinds of things about the brutality of the regime. Let us stipulate that. I have been there several times. It is worse than anybody knows. It is awful. People there live with such burdens. Let us not burden them further.

Let me say, last year when this amendment was offered, the opponents were saying the administration is going to change it. This amendment will be moot. Those regulations will change. There has been a public outcry; it is going to change. Guess what, a year later it is still there. The restrictions are still there, yet we heard they are going to change. Well, they have not changed. We need to send a signal this policy cannot stand.

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

I rise in strong opposition to the amendment. I would also like to say to the gentleman from Arizona (Mr. FLAKE), I would love to go down to Cuba; and I would ask if the gentleman can intercede for both of us to go together, and that would be an unusual trip.

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

Mr. WOLF. I yield to the gentleman from Arizona.

Mr. FLAKE. I have no beef with the Cuban government.

Mr. WOLF. But the gentleman has been there several times.

Mr. FLAKE. I have never met with Castro, and I have no desire to.

Mr. WOLF. Mr. Chairman, if the gentleman has been there a couple of times and I have not, maybe the gentleman can try to help me. I would like to go.

Cuba is a source country for children trafficked internally for the purposes of sexual exploitation and forced child labor. Trafficking victims from all over Cuba are exploited in major cities. This government does not give its own people the necessary help.

Cuban forced-labor victims, and this is from the State Department reports, include children coerced into working conditions of involuntary servitude in commercial agriculture.

The Government of Cuba does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. In 2001, Cuban officials outlined an extensive plan to address the prevention and prosecution of trafficking victims on a national scale, but there is no evidence to show that the plan has been implemented. Cuba has no strategy to address its trafficking problem and growing child sex tourism industry.

Let the Cuban Government deal with eliminating the trafficking of children first. Cuba is in of the State Department's Trafficking in persons report tier 3, which is among the worst in the world. Let them deal with this issue and then perhaps we can see about some of these issues. But I urge strongly a ''no'' vote on this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona (Mr. FLAKE) will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. PAUL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. PAUL:

Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used by the United Nations to develop or publicize any proposal concerning taxation or fees on any United States person in order to raise revenue for the United Nations or any of its specialized or affiliated agencies. None of the funds made available in this Act may be used by the United Nations to implement or impose

any such taxation or fee on any United States person.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Texas (Mr. PAUL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL).

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

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

Mr. PAUL. Mr. Chairman, my amendment is a very simple, clear amendment. It prohibits the use of any funds in this bill to be used by the United Nations to promote a world global tax.

Over the last 10 years, there were at least five meetings in the United Nations that talked and met for the sole purpose of devising a global tax. Not too long ago the G8 met, and France and Germany proposed a global tax on airline tickets. There have been other proposals on taxes on financial services. Hans Eichel, Germany's finance minister, stated, ''No one in the G8 has said anything against it. It is now on the agenda.''

So it is not like I have dreamed up this possibility. This is very real. It is on the agenda. They have talked about it for years.

Mr. Chairman, I would like to say that support for my amendment would be that somebody has responded. They think that nobody has, but I think the American people through us are quite willing to respond and say we are not ready, we do not think that it is a good idea that the United Nations be funded through a global tax.

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

Mr. PAUL. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I think the gentleman's amendment is an excellent amendment, and I accept it and I am glad he offered it.

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

The CHAIRMAN. Does any Member claim the time in opposition?

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HINCHEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HINCHEY:

Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act to the Department of Justice may be used to prevent the States of Alaska, California, Colorado, Hawaii, Maine, Montana, Nevada, Oregon, Vermont, or Washington from implementing State laws authorizing the use of medical marijuana in those States.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from New York (Mr. HINCHEY) and the gentleman from Virginia (Mr. WOLF) each will control 15 minutes.

The Chair recognizes the gentleman from New York (Mr. HINCHEY).

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

This amendment would prohibit funds for the Department of Justice from being used to prevent patients in States that have medical marijuana laws from following those laws.

Over the past 9 years, 10 States have adopted laws which allow the use of marijuana for medicinal purposes: Alaska, California, Colorado, Hawaii, Maine, Montana, Nevada, Oregon, Vermont, and Washington. They legalized the use of marijuana to relieve the intense pain that accompanies debilitating diseases, including AIDS, cancer, multiple sclerosis, and glaucoma. With the exceptions of Hawaii and Vermont, all of those laws were adopted by referendum, passed by the people.

Thousands of patients have testified, explained, and acknowledged that marijuana helps relieve symptoms, such as nausea, pain, and loss of appetite associated with serious illnesses. These people have found that marijuana is the only remedy that improves their quality of life. Yet the DEA has been targeting these people for arrest and sending them to jail. This needs to stop.

It is unconscionable that we in Congress could possibly presume to tell a patient that he or she cannot use the only medication that has proven to combat the pain and symptoms associated with a devastating illness. How can we tell very sick people that they cannot have the drug that could save their lives simply because of a narrow ideology and bias against that drug in this Congress?

A 1999 Institute of Medicine report for the National Academy of Sciences described the legitimate use of medical marijuana. It stated: ''Until a nonsmoked rapid-onset cannabinoid drug delivery system becomes available, we acknowledge that there is no clear alternative for people suffering from chronic conditions that might be relieved by smoking marijuana. Today there is no such alternative available.''

This amendment would affect only the States that allow the use of medical marijuana by preventing the Justice Department from arresting, prosecuting, suing, or otherwise discouraging doctors and patients in those States from following the laws of those States to relieve their physical injuries and conditions.

In the Supreme Court's majority opinion last week, Justice John Paul Stevens wrote that the issue can be addressed ''through the democratic process, in which the voices of voters allied with these respondents may one day be heard in the halls of Congress.'' With this amendment, we intend to use the powers granted us in the Constitution and reaffirmed by the Supreme Court last week to do just that.

Opponents of this amendment have tried to misrepresent it. This amendment does not encourage the recreational use of marijuana. It does not encourage drug use in children. It does not legalize marijuana. It would give relief to people suffering from horrific diseases and allow their doctors to decide which drugs will work best to do so. Organizations including the Nation's largest medical organization, the 2.7 million member American Nurses Association, the American Public Health Association, the American Academy of Family Physicians, and the New York State Medical Society, among others, have publicly endorsed the medical use of marijuana.

□ 1300

Our amendment is about compassion, in allowing patients the simple right of using the most effective medicine possible. Taxpayers' dollars should not be spent on sending seriously or terminally ill patients to jail. A vote for this amendment is a vote for States rights and for compassion. Ten States have decided to use medical marijuana in their laws. The Federal Government should not stand in their way.

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

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

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to oppose this amendment. Marijuana is not a harmless drug. The National Institute on Drug Abuse, the American Medical Association and other science-based research institutes have documented the substantial risks of using marijuana. The FDA, on the other hand, has already approved Marinol, which contains THC, a derivative of the active chemical in marijuana, totally undermining claims that there is any need for medical marijuana.

If passed, this amendment would open the door for drug dealers to use medical marijuana exemptions as cover for their growing and selling operations. Up until recently, no adequate testing had been done in this country on the devastating effects of marijuana use. If only the young people of America knew of the study that just has been released recently that marijuana use curtails the development of the brain. We have very young people in this country using marijuana, and marijuana curtails the growth of our brain, and our brain is not mature until we are 25 years of age. Anything we do that encourages young people to use marijuana will have a devastating impact on their mental capacity.

I speak with a little experience on this. I have some friends who grew up when marijuana was the hot issue, and some of the brightest young people I knew became somewhat dull and have remained that way all of their life because the recent study proves that

marijuana use curtails the growth and development of the brain.

I have never had a physician tell me that it was needed in his portfolio to treat medical diseases and pain. I have never had a physician, and I have been in the health care field, in the legislative process, for 20 some years.

Medical marijuana is not something that is needed in this country. It is a drug that stops the development of the brains in our youth, and it should not become legal in any way, in my view.

Mr. HINCHEY. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, I will not contest the gentleman from Pennsylvania on the intellectual level of some of his companions, but on other issues, I very much disagree with what he has had to say.

As to its relevance, yes, marijuana is and can be a drug with serious adverse consequences. So is OxyContin. So are many other substances that can only be legally administered by a physician with a prescription.

This is not a bill to make marijuana generally available. It is not a bill to put it in baby formula. It says, what is the rationale for singling out marijuana and saying that no doctor in no State can prescribe that even if that doctor feels that is the only way or the most effective way to alleviate pain? And I say most effective.

I would have hoped we would have learned something about trying to practice medicine here. They released today the autopsy, sadly, in that tragic case of Terri Schiavo. Apparently, according to the autopsy, not only was she in a persistent vegetative state, she was blind. The fact is that we had people on the floor of this House a few months ago directly controverting what we now know to be the medical facts.

Let us not do that again. Let us not say that we will decide on a political basis at the national level that no State is competent to regulate the practice of medicine in that State if they decide to allow a doctor to prescribe marijuana, because that is what we are talking about. The regulation of medicine has been a State function. Some States have decided to allow their doctors to prescribe marijuana. This has got a double safeguard. The State has to decide to do it, and then a physician has to decide to do it.

If there are physicians that you think are misusing this, and there are with substances. Rush Limbaugh got into trouble with OxyContin. That does not mean because something can be legally prescribed that you look away when it has been illegally used.

So let us treat marijuana the way we treat many, many other substances with far more impact on individuals. Let us leave this to the States and leave it to the doctors, and let us stop this practice, which I have commented on before, where most of us are not doctors, but try to play them on C–SPAN.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman for yielding me this time.

Mr. Chairman, I serve on the Judiciary Committee where we look at these types of issues. I appreciate the support of the gentleman from Virginia on this cause.

As I listened to the gentleman from Massachusetts make the allegation that no doctor in no State shall prescribe medicinal marijuana, I acknowledge the statement, and the implication at least was that this is new legal ground that we are plowing here. But, in fact, the FDA says no doctor in no State shall prescribe a pharmaceutical or medicine that is not approved by the FDA. That is why we had this major debate in this Congress here a year or so ago with regard to the reimportation of drugs.

So it is not new ground. It is old ground. It is old ground, and we know the cause, and we know what the driving force is behind this. It is seeking to get the camel's nose under the tent, seeking to establish a very small sliver of marijuana so that eventually the people that are behind this, that want to legalize marijuana in their individual States and across this country, can drive that wedge in and eventually be able to legalize this substance that has not been supported by any branch of medicine that I can identify. The American Medical Association, the National Multiple Sclerosis Society, Glaucoma Society, Academy of Ophthalmology, Cancer Society all have rejected marijuana for medical purposes.

What we have here is an initiative that is designed to advance a social agenda, the social agenda of the people that want to legalize marijuana. And, in fact, if we do that, we are going to see it planted in more places around this country, not less, and more accessible to more people, and this society will be more replete with the abuse of this hallucinogenic drug, a gateway drug that reduces the productivity of the American people and causes more people to get on to serious drugs, such as methamphetamines, heroin, cocaine, et cetera.

I urge a ''no'' vote on this amendment.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentleman from New York for yielding me this time, and I thank him for his leadership, he and the gentleman from California (Mr. ROHRABACHER), for bringing this important bipartisan initiative to the floor. What we are discussing today is compassion, and that is a bipartisan value. I am grateful for their leadership on this issue that is critical to many in my district and across the country who are suffering from debilitating illnesses and to those who care for them.

Before I proceed with my comments, though, I want to acknowledge the tremendous leadership of the Chair of this subcommittee of appropriations, the subcommittee that has such a long name now, but we all know it is the gentleman from Virginia (Mr. WOLF). He knows, and every chance I get, I want to tell others, of the high regard that I have for him. It is a privilege to call him colleague and to serve with him in the Congress of the United States. Again, every chance I get, I want to acknowledge his tremendous leadership, especially for respecting the human rights of every person on the face of the Earth.

I thank the gentleman from Virginia (Mr. WOLF), the gentleman from New York (Mr. SERRANO) and the gentleman from West Virginia (Mr. MOLLOHAN) as well for their leadership on this important subcommittee.

This amendment, Mr. Chairman, is especially timely coming on the heels of the Supreme Court decision last week. The Court's decision makes clear that Federal regulatory and statutory changes are needed. For that reason, I strongly support the proposed legislation of the gentleman from Massachusetts (Mr. FRANK) that would change Federal laws to permit medical marijuana pursuant to State law. Make sure you know that what we are talking about here is in regard to States passing their own laws or initiatives and what would happen in this initiative, which is needed because we do not have a Federal law to respect States' rights specifically in terms of medicinal marijuana.

This amendment is necessary because it would prohibit the Justice Department from spending any funds to undermine State medical marijuana laws. It would leave to the discretion of the States how they would alleviate suffering of their citizens. This is a States rights issue. I have been a longstanding advocate for allowing States to make medical marijuana available to patients under a doctor's recommendation to alleviate painful suffering. A doctor's prescription is needed for a substance that is not otherwise legal. Doctors write prescriptions every day for that purpose, and they should be able to do so if their States allow it in the case of medical marijuana.

In my district in San Francisco, we have lost more than 20,000 people to AIDS over the last two decades. Twenty thousand people. I have seen firsthand at the bedsides of these patients the suffering that accompanies this dreadful disease. Medical marijuana alleviates some of the most debilitating symptoms of AIDS, including pain, wasting syndrome and nausea. It is not confined to AIDS, but also cancer and so many examples that our colleagues will point out. This is just the compassionate way to go.

The previous speaker says he knows of no scientific or medical institution that has said anything positive about this. I beg to differ. The fact is this has

been supported by science. In 1999, the Institute of Medicine issued a report that had been commissioned by the Office of National Drug Control Policy. The study found that medical marijuana would be advantageous in the treatment of some diseases and is potentially effective in treating pain. Medical journals and other recent articles attest to the fact that active components in medical marijuana inhibit pain. Other proven medicinal uses of marijuana include improving the quality of life, as I mentioned before, for patients with cancer, multiple sclerosis and other severe medical conditions. That is why many medical associations support legal access to medical marijuana, again, if the State allows it with a doctor's prescription, including the American Academy of HIV Medicine, the American Academy of Family Physicians, the American Nurses Association, the American Public Health Association and the AIDS Action Council.

In addition, more than 10 States, including my own State of California, have adopted these laws since 1996. Most of these laws were approved by a vote of the people. Numerous polls indicate that three-quarters of the American people support the right of patients to use marijuana with a doctor's prescription. A recent AARP poll showed that 92 percent of America's seniors support the use of medicinal marijuana with a doctor's prescription in the States where it is allowed.

Religious denominations also support legal access to medical marijuana, including the Episcopal Church, the Evangelical Lutheran Church, the National Council of Churches, the National Progressive Baptist Convention, the Presbyterian Church, the Union for Reform Judaism, the United Church of Christ, the Unitarian Universalist Association, and the United Methodist Church.

We must not make criminals of criminally ill people. Excuse me. We must not make criminals of seriously ill people. My slip of the tongue may tell the tale. It is not a crime to be ill. If we need to have access to pain relief, the people who seek this therapy should be able to receive it. It is long past time to base our policies on science and not on misguided politics. The Hinchey-Rohrabacher amendment affects the health and well-being of so many Americans, and I urge my colleagues to vote for it.

I also want to commend again the gentleman from California (Mr. ROHRABACHER) and the gentleman from New York (Mr. HINCHEY) for their courage in bringing this important bipartisan, compassionate legislation to the floor.

Mr. WOLF. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. SOUDER), who has been a leader on this issue.

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

Mr. SOUDER. I thank the gentleman for his leadership.

Mr. Chairman, I rise in opposition to this promarijuana amendment. It has little, little to do with compassion. It is hiding behind a few sick people to try to, in effect, legalize, back door, marijuana in this country.

This amendment would prohibit the Department of Justice from enforcing Federal drug laws against anyone hiding behind a State medical marijuana statute. If passed, this amendment would put people in danger of shysters and quacks willing to recommend a dangerous drug, marijuana, in place of federally approved safe and proven medicines. You can get Marinol. We have got other ways by taking a pill to treat this. There are multiple chemicals in marijuana. It is not medicine. Marijuana is just as much medicine as the carbolic smoke ball from the late 19th century was medicine.

□ 1315

The carbolic smoke ball promised in this ad we can see promised to cure everything from asthma to sore eyes to diphtheria. Consumers were told to smoke the carbolic smoke ball three times a day for what ailed them. Similarly, snake-oil salesmen promised through their quackery that their product could cure all aches and pains.

This is why we passed the Food and Drug Act. That is why we have an FDA, to protect consumers from the nostrums of the day. Congress acted responsibly in protecting this country from fraudulent claims of nostrum sellers and from using unsafe drugs from being taken by sick or afflicted consumers. Do the Members think these people were not sick and these people did not want to be cured? But they were sold products that, in fact, could not deliver. They made them drunk just like marijuana makes one high. What they do is isolate the chemicals inside to treat the disease.

One does not smoke pot. I have told this body several times before about Irma Perez, but many seem to have a short memory about this. The rhetoric about marijuana as a ''treatment'' for medical purposes, which probably was dreamed up at some college dorm, was a factor in the death of Irma Perez. She was 14 years old. She heard all this talk about medical marijuana even on the floors of Congress, and she was suffering from an Ecstasy overdose. And her friends gave her marijuana, thinking it was medical instead of getting her a doctor. A medical examiner said that had she received real medical attention rather than so-called medical marijuana, Irma Perez would still be alive.

There is a reason that marijuana is illegal, a Schedule I controlled substance. It has not met the rigorous approval process of the FDA. In fact, nearly 60 percent of people in drug treatment in America are in treatment for marijuana. Marijuana has never been proven safe and effective for any disease. To the contrary, it has been linked to a greater risk of heart disease, lung cancer, bronchitis, and emphysema. The Office of National Drug Control Policy notes evidence that marijuana can increase the risk of serious mental health problems, and in teens marijuana can lead to depression, thoughts of suicide, and schizophrenia.

There is a cost to Members of Congress standing up here and pretending that this is medical. This is not safe medicine. It is not safe and effective. It is dangerous. It contains more than 400 chemicals. Moreover, we know from survey data that so-called medical marijuana is not used for medicinal purposes except in very few cases, but for recreational and emotional reasons. One single doctor in Oregon wrote more than 4,000 prescriptions for people to use marijuana. His medical license was finally suspended last year for his failure to provide proper examinations or oversight of this so-called ''treatment.''

We have marijuana coffee houses proliferating in these States that are supposedly for cancer patients. There are people growing tens of hundreds of acres and putting medical marijuana in front of it and hiding and saying ''we are helping cancer patients,'' which is not true.

Finally, pro-marijuana advocates exploit the stories of people who are suffering from real pain or illness as a wedge for their pro-drug agenda, claiming that marijuana is necessary to alleviate their pain. It is simply not proven, not true, and becoming less true every single year for even the exceptional case.

The good news is that Marinol, a synthetic version of marijuana's derivative THC, has been approved by FDA as medication for appropriate treatment by prescription. Marinol has met the rigorous standard for ''safe and effective'' that is required for all drugs. It will be great for cancer patients and is working now in all of them. Originally, Members got on this floor and said it could not stop vomiting. It does.

The bad news is that proponents of medical marijuana are perpetrating a fraud on the public by claiming that home-grown weed, pot, reefer, marijuana, or whatever one wants to call it, should be used as medicine. Medical marijuana is a ruse. Marijuana is a dangerous and illicit drug, period.

I urge my colleagues to vote against this amendment.

Mr. HINCHEY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of this amendment. I rise in support of the separation of powers as established by our Founding Fathers in the Constitution. The Constitution clearly delegates the power to deal with criminal matters, like the use of drugs, to the States.

I agree with my colleagues, even the one who just preceded me, that marijuana is probably a dangerous drug, and I would not suggest that we do

anything to encourage its use. Certainly the war on drugs has not eliminated that choice for our young people one iota. Our approach at supply rather than looking at demand has not been successful. But, most importantly, this drug, which may be harmful, reflects many other drugs that may well be harmful, but that we have decided as a society should be permitted to be prescribed by doctors whom we have empowered to make such prescriptions to people who are suffering from illnesses. There are many drugs that have many serious side effects and that are harmful to people. Marijuana is no different than that. And especially we should try to discourage young people from using marijuana.

But simply to override all of the powers of the people of the States of this Union to determine that decision and to override criminal matters that have been decided by the people of States is unconstitutional. The fact is our Founding Fathers wanted these issues to be determined in the States. All this decision we are making today is, should we use Federal money and use Federal resources to override the wishes of the people of the States who have voted, and in my State there was a referendum which won handily, on this issue. And the issue is that they have a right to decide at the State level should a doctor be able to prescribe marijuana to someone who is suffering, a cancer victim, an AIDS victim, or whatever. This makes all the sense in the world.

Let us not have a power grab by the Federal Government at the expense of these poor patients and the right of doctors to make these decisions and not politicians.

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

I rise in opposition to the amendment. Not only does the amendment hurt law enforcement's efforts to combat drug trafficking, but it really sends the wrong message to our children. Marijuana is the most abused drug in the United States. According to the ONDCP and the DEA, more young people are now in treatment for marijuana dependency than for alcohol or all other illegal drugs.

Mr. Chairman, if I could just read that one more time: according to the ONDCP and the DEA, more young people are now in treatment for marijuana dependency than for alcohol or for all other illegal drugs.

This amendment does not address the problem of marijuana abuse, and I know and I want to stipulate that it is not the intention of the authors, but it possibly makes it worse by sending the message to young people that there are going to be health benefits for smoking marijuana. I think it is confusing to young people for the Congress to do that. I understand what the authors of the amendment are trying to do, but it would be confusing and I think the wrong message.

Last year, this amendment failed by a vote of 148 to 268, and I urge rejection of the amendment.

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

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FARR), a sponsor of this amendment.

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

I stand as a Member from California, which has had a law for almost 10 years now allowing the medical prescription use of marijuana for alleviating pain. It has not been a problem in California. It does not legalize drugs. It does not get drugs into the hands of kids. That law is enforced. Drug laws in California are strictly enforced by local law enforcement. But local law enforcement also supports in my community this use of pain relief.

I mean, this issue is about doctors and patients, doctors who prescribe for pain. They can have all kinds of alternatives prescribed. In some cases, this is the way that pain is best relieved. So what we are asking is that no money be spent to enforce the laws in those States that have been working. The Supreme Court did not strike down those laws. They did not say they were illegal. This is the ability of whether Congress is going to now step in and require those 10 States that have practices in place that are alleviating pain that they can no longer do that.

Do not allow the Federal Government to bust old ladies who are suffering from pain and have a prescription for relief.

Mr. Chairman, I rise in support of the Hinchey amendment and am proud to be a cosponsor of that amendment.

Oppenents of this amendment would want you to believe that this amendment is all about legalizing pot, or about unfettered access to street drugs, or about creating a generation of drug addicts.

They know it's not and their exaggeration won't change the facts.

The facts are—

This amendment is about States rights and the ultimate right of the citizens to empower their government through the democratic process.

This amendment is about health care, under a doctor's prescription and direction.

This amendment is about compassion and caring for persons who suffer from chronic pain and/or terminal illnesses.

This amendment is not about legalizing or decriminalizing marijuana.

This amendment is not about unfettered marijuana growth, distribution or usage. It is about regulated, controlled access.

My friends across the aisle seem to forget that this body, this House of Representatives gets its power from the people. In the United States the people empower their government, not the reverse.

In this country the people have the right to tell government how to govern.

In this country the people have the right to petition their government for change.

And when that happens, this government, this House of Representatives, has an obligation to respond.

When Americans called for an end to discrimination, we had an obligation to pass the Civil Rights Act.

When Americans called for fairness to persons with disabilities, we had an obligation to pass the Americans with Disabilities Act.

Ten states and millions of American citizens have voted to make it the law in their states that marijuana is available through prescriptions for health care purposes.

They are asking us—their representatives in Congress—to change the law to make it so. We have an obligation to respond.

The Hinchey amendment is the responsible thing to do. It is the right thing to do.

I urge everyone to vote "yes" on the Hinchey amendment.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. GALLEGLY).

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

Mr. GALLEGLY. Mr. Chairman, I urge my colleagues to vote against this amendment.

Marijuana is not a therapeutic drug. It is a harmful drug. Proponents of medical marijuana claim that drugs help alleviate pain, nausea, vomiting, and loss of appetite for the terminally ill. But these alleged benefits are rejected by medical authorities. The American Medical Association, National Multiple Sclerosis Society, the American Glaucoma Society, the American Academy of Ophthalmology, and the American Cancer Society, however, have all rejected the use of marijuana for medical purposes.

Further, smoking pot is physically harmful. Smoking pot delivers three to five times the amount of tar and carbon monoxide as cigarettes. According to the National Institute on Drug Abuse, studies show that someone who smokes five joints per week may be taking in as much cancer-causing chemicals as someone who smokes a full pack of cigarettes every day. Smoking pot is not helpful; it is harmful.

I urge my colleagues to vote against this amendment.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, like my constituents, I believe that doctors should be permitted to prescribe marijuana for patients suffering debilitating diseases like cancer, AIDS, glaucoma, spastic disorders, and many more. We want the Federal Government to get out of our way because our State of California passed Proposition 215 in 1996, allowing for the use of marijuana for medical purposes.

The Members should know that my mother suffered from glaucoma and marijuana relieved her tremendously. In fact, her favorite Christmas present was a tin of marijuana. She is gone now, but I am certain that I speak for her today in asking that those who suffer from these debilitating diseases get help and can use marijuana if that help works. We want the Justice Department to stop punishing those who are

abiding by their State laws. Join me in supporting this important amendment.

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

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I am sorry that the debate on this issue is so limited. The gentleman from California (Mr. FARR) was unable to present the evidence that the teen use of marijuana, since the approval by the State of California, has gone down. And I would put this in the RECORD.

This is an opportunity for us to clarify that the 10 States, including my State of Oregon, which was approved by the voters, have the right to make sure that the 10,000 people who are using medical marijuana under the supervision of 1,700 doctors have that right. It is outrageous that the Federal Government would intervene over the rights of States like mine, like Arizona, like California where people are taking these steps. It is a sorry continuation of attempts by this Congress to try to criminalize Oregon's Death with Dignity law, the only State in the Union with end-of-life protection, and the sorry spectacle we had here on the floor where Congress was intervening with the Terry Schiavo family.

I strongly urge the approval of this amendment.

□ 1330

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, this amendment extends the protections already provided at the State level in 10 States to the Federal level. It ensures that critically ill patients can find relief from nausea and pain without worrying that the Federal Government will prosecute them. The Federal Government should use its power to help terminally ill citizens, not arrest them.

Compassion ought to require us that we look at what we are doing here in this debate, trying to raise marijuana to the level of some kind of bogeyman when you have people who are suffering from terminal illness, and we are saying they should not be provided relief from pain.

What are we talking about in this Congress? Where is our compassion? Where is our understanding of what families go through when someone is suffering from a terminal illness, when people are looking for relief from pain? We are going to deny that to them because of some shibboleth about marijuana?

Let us get real. Let us support the Hinchey amendment.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, are we for States rights or not? I often hear from that side of the aisle we are for States rights. I guess we are for States rights until we disagree with policies adopted by a State.

My State and nine other States have by large margins adopted the right of people in a regulated way through physician prescription to receive medical marijuana for certain conditions for which there are few other effective or no other effective treatments. Plain and simple.

It is not about legalization. You say, well, do not cripple law enforcement. Do we want to divert our limited law enforcement resources, who cannot give me a permanent DEA agent to help with the meth epidemic in the rural areas of any district, into chasing around old, sick people growing marijuana? I do not think so. That is not helping law enforcement with their mission.

Let us focus them on things that are a real threat to the American people, not on issues that have been decided by the people of the various States that this is something that should be made available in a compassionate way to help a few people.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Chairman, I oppose legalizing marijuana, but I support this amendment. Just like the other voters in California, I do not see why we should prohibit doctors from providing for pain relief for their patients.

I will talk to you about someone I knew. I will call him Mr. X. He had terminal cancer, and he could not eat, and the only thing that could get him an appetite was marijuana. Mr. X, who was my age, had to go out and buy marijuana illegally. It was so horrible for him.

Why should we force the indignity on terminal cancer patients of having to do that? That is why my State voted to allow doctors to prescribe marijuana, so that cancer patients who cannot eat have the chance to get some nutrition. For the life of me, I cannot understand why we would interfere with that, and I strongly, strongly urge, on behalf of all cancer patients, please support this amendment.

Mr. HINCHEY. Mr. Chairman, I yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to support the amendment. I ask respect for those who oppose this amendment, but I ask respect, kindness and love for those suffering with cancer. There is not a family in America that is not touched by this devastating disease.

Allow the Hinchey amendment to go forward, so there can be healing and comfort for those dying of an enormously devastating disease. That is all we ask for, and, of course, the protection of the 10th amendment, that allows States to govern the laws of their particular jurisdiction, to protect the people of their State. Support the Hinchey amendment.

I rise today in support of the Hinchey Medical Marijuana amendment. According to the Mayo Clinic, marijuana has been used as a medical treatment for thousands of years. Further, the use of marijuana for medical purposes has been proven to be beneficial in the treatment of glaucoma, cancer, multiple sclerosis, epilepsy and chronic pain.

Despite various studies and reports by medical experts, the U.S. Supreme Court, on Monday of last week, handed down its rule which would allow sick patients who rely on marijuana to relieve pain or to help with their medical conditions to be prosecuted under Federal law even if their home State allows use of the drug for such medical purposes. The 6–3 decision came as a setback to the medical marijuana movement, but it does not change the laws of the 10 States that allow patients to use the drug to ease symptoms. Needless to say, I am very disappointed with the Court's decision.

To this end, I strongly support the Hinchey amendment. This amendment would prohibit the Justice Department from preventing States that have passed medical marijuana laws from implementing them. Currently ten States have adopted laws that allow the use of marijuana for medical purposes: Alaska, California, Colorado, Hawaii, Maine, Montana, Nevada, Oregon, Vermont, and Washington. These laws were passed to allow the use of marijuana to relieve the intense pain and other symptoms that accompany several debilitating diseases, including aids, cancer, multiple sclerosis, and glaucoma. The DEA has conducted numerous raids on the homes of medical marijuana users, prosecuting patients who were using marijuana, in accordance with State laws, to relieve this pain.

Before closing, it is important to note that the Hinchey amendment will not change marijuana's classification as a Schedule I narcotic, require States to adopt medical marijuana laws, stop law enforcement officials from prosecuting the illegal use of marijuana, encourage drug use in children, and legalize marijuana or other drugs.

I urge my colleagues to support this amendment.

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

Mr. Chairman, let me just say in closing that the opposition to this amendment today on the floor has presented 19th century arguments for a 21st century problem.

We have people in this country who are suffering the debilitating pain that comes from cancer and chemotherapy. No relief is available to them except by association with cannabinoids. That association should be allowed under a doctor's prescription. That condition exists now in 10 States across this country. This Congress says to those 10 States, I am sorry, but you cannot do it. We are intervening.

That should stop. This Congress should not be about inducing pain, encouraging pain. This Congress should be about relieving pain in the American people. This Congress should be about enlightened medication and an enlightened health care delivery system, not one based upon 19th century prejudices, biases and a narrow ideology.

Let us pass this amendment. Let us be sensible, creative, decent and caring

for the American people. Let us pass this amendment.

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

Mr. Chairman, let me just respond to what the gentleman said about this ''narrow ideology.'' My mom died of cancer, my father died of cancer, there have been many people in my family on my mother's side who died of cancer. I, at one time, supported this and changed my vote in the Congress because I have seen the devastation that drugs can have on young people, the devastation that it is doing to many people.

So people can have differences of opinion. But when the gentleman uses these inflammatory rhetoric of ''narrow ideology,'' it is like all truth is on their side, I think that is really the wrong tone. This is a serious issue. There are good and decent people on both sides. But I think the gentleman's tone and comments were really not exactly accurate.

I care as much about this issue, and I care as much about suffering and pain as the gentleman. I stood with my mom when she died and with my father when he died.

Mr. Chairman, I yield the balance of my time to the gentleman from Indiana (Mr. SOUDER).

The CHAIRMAN. The gentleman from Indiana is recognized for 2½ minutes.

Mr. SOUDER. Mr. Chairman, let me state that my mother and father-in-law both recently died of cancer as well.

Compassion is not limited to either side, but there is science and there is not science. In fact, the Carbolic Smoke Balls and the snake oil is very similar; getting high is the same as getting splashed.

There are, in fact, medical solutions to what has been talked about today. Serostim deals with wasting in AIDS, as does Megestrol, and they have been found by FDA to treat the very things they claim that you want treated today. You do not get high in the process, but your pain is relieved. Marinol treats the vomiting questions and other questions. It isolates the substances in it. There are 200 chemicals in marijuana. One gets you high, but other parts actually can be isolated just like in other things.

Furthermore, we have heard kind of a silly argument here on the House floor today that physicians should be making up FDA law. Physicians do not do trials of different drugs when they come to market. Physicians do not have big testing agencies. That is why we have a Food and Drug Administration. This is in effect asking to repeal the Food and Drug Administration.

Then we have kind of a very interesting legal argument going on here, not whether States have rights, but when the Federal Government has ruled, can States nullify a Federal law? The Supreme Court has always ruled unanimously that they do not, ever since the Civil War. We fought a war over nullification.

We do not believe in States rights on civil rights questions and others. When the Federal Government rules, the Court is unanimous. The split decision the other week was best explained by Justice Scalia for the majority, who said that you cannot have intrastate and interstate definitions when you are dealing with marijuana.

These huge marijuana plantations that are growing in the State of California, which, by the way, there is no limitation on doctors to cancer patients. We had one testify in our committee who gave so-called medical marijuana to teenagers for ADD, that doctors prescribe it for fingernail pain.

There is not this restriction on cancer. It is a bogus debate. California does not have that restriction. These huge marijuana plantations, nobody is going after individual doctors except in a test case where somebody wants to do it. We are going after the people prescribing to thousands of people, to the coffee shops that are proliferating in these States where the people were sold a bill of goods that they were working with cancer patients, and instead now they see the proliferation of coffee houses, they see the proliferation of marijuana plantations, with signs up in front of them saying, ''This is all for medical purposes.''

We in Congress have a responsibility to lead in this country, not to buy into college dormitory-type thoughts of ''wouldn't it be great if we called marijuana medical, and then we could smoke pot?''

That is why the vote has actually declined the last few years here in Congress, and after the Supreme Court ruling last week, I believe it will decline even further, because there is not an intrastate. Not only was it previously upheld on interstate, it has now been upheld on intrastate, with Scalia being one of the great conservatives who historically has stood up for States rights explaining the difference very clearly.

I hope Members will join with the chairman in voting down this amendment.

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

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

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

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

AMENDMENT OFFERED BY MR. SCHIFF

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SCHIFF:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act for a DNA analysis and capacity enhancement program, and for other State, local, and Federal forensic activities, may be used for a grant to a State that does not have in effect policies and procedures to ensure that the State collects DNA from every felon convicted in the courts of the State.

Mr. WOLF. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

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

The Chair recognizes the gentleman from California (Mr. SCHIFF).

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

Mr. Chairman, as a former Federal prosecutor, I understand how the use of DNA profiles has become a powerful tool in solving crimes. States have taken the lead by expanding the use of DNA in crime-solving efforts.

The distinguished chairman's home in Virginia was the first to pass a DNA data bank law in 1989, requiring all convicted sex offenders to provide a DNA sample. Since then, Virginia has continued to be a leader in this area, expanding their law in 1990 to include all convicted felons, and further expanding it since. As a result of these laws, Virginia has obtained a staggering 2,747 hits by searching their database, solving countless crimes.

Because of the amazing crime-solving successes in Virginia, I introduced legislation in 2002 seeking to mandate an expansion of State collection regimes and an expansion of the Federal database by permitting States like Virginia to upload the increasing number and types of profiles they were obtaining.

At the time only 23 States had enacted legislation requiring DNA from convicted felons. Twenty-seven States, including my own State of California, were 12 years behind what Virginia had accomplished. Since then, I am pleased to report that 42 States have passed laws to require DNA from all convicted felons. It is now time for those last remaining eight States to come on board.

The U.S. Congress is putting a significant amount of money into DNA programs, over $177 million this year alone, with the goal of not just reducing backlogs, but also solving and preventing crimes. The eight States that do not currently collect from all convicted felons are not obtaining the hits that they should and are therefore making the entire system inefficient since cross-State matches are not being made.

These States must modernize their collection. Since these violent offenders know no State boundaries, the failure to upload these samples puts all citizens at risk, and the Federal Government has a compelling interest in making it so.

Statistics show that as many as half of the criminals that commit violent

crimes have nonviolent criminal histories. Therefore, offenders who are required to submit DNA when convicted of nonviolent felonies will be identified as they leave DNA behind later at rape and murder scenes.

States originally thought there would be no law enforcement value to collecting samples from convicted felons when the crime was not sexual in nature or not particularly violent. They were wrong. Virginia's offender hits, primarily from previous nonviolent and nonsexual convictions, have aided over 2,700 investigations, including 15 rapes, 255 murders and 521 sex crimes.

Mr. Chairman, I will cite only one of the countless examples we have seen of the tragic consequences of inadequate DNA collection schemes. Some years ago, four Springfield, Massachusetts, women fell victim to a serial rapist and murderer.

□ 1345

The man who later turned out to be the rapist and murderer had prior nonviolent felony convictions for breaking and entering and for larceny. He was sentenced to community supervision. If Massachusetts at the time had required him to give a DNA sample after either of his 1996 convictions, a DNA match could have been obtained after the first rape and murder, thereby preventing the subsequent three tragedies. Massachusetts has since modernized their law to obtain samples from all convicted felons.

Mr. Chairman, the results speak for themselves. DNA databanks are most effective with the inclusion of at least all convicted felons and applied to all forms of cases. While I will withdraw this amendment, as I know the chairman has a point of order, I intend to introduce legislation to make these important changes and would very much like to work with the chairman on it.

Mr. Chairman, I do have a second amendment which I will not speak on now because the chairman was kind enough to let me speak on it earlier, but I would like to take the opportunity immediately after consideration of this amendment to make the formal offer of that amendment.

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

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

There was no objection.

AMENDMENT OFFERED BY MR. SCHIFF

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SCHIFF:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 8____. It is the sense of Congress that all necessary steps should be taken to provide adequate security for the judiciary and to protect and uphold the independence of the judicial branch.

POINT OF ORDER

Mr. WOLF. Mr. Chairman, I make a point of order.

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

Mr. WOLF. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill 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 proposes to state a legislative provision.

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

Mr. SCHIFF. I do, Mr. Chairman.

Mr. Chairman, I will be very brief, and I appreciate the opportunity to speak again on the substance of this amendment.

This is merely a sense of Congress respecting the integrity and the independence of the judiciary. I know the honorable chairman offered a sense of Congress amendment on Darfur last year to the appropriation bill. This is similarly merely a sense of Congress amendment asking that we not only observe the independence of the judiciary, but make sure we provide for the safety of the bench. We just saw another shooting today outside of a courthouse, and I would ask the chairman to consider this sense of Congress much as the one that was offered last session.

The CHAIRMAN. Does any further Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this amendment expresses legislative sentiment. The amendment, 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 NO. 29 OFFERED BY MR. OTTER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 29 offered by Mr. OTTER:

Page 108, after line 7, insert the following:

TITLE VIII—LIMITATION ON AUTHORITY TO DELAY NOTICE OF SEARCH WARRANTS

SEC. 801. Section 3103a of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''may have an adverse result (as defined in section 2705)'' and inserting ''will endanger the life or physical safety of an individual, result in flight from prosecution or the intimidation of a potential witness, or result in the destruction of or tampering with the evidence sought under the warrant''; and

(B) in paragraph (3), by striking ''a reasonable period'' and all that follows and inserting ''seven calendar days, which period, upon application of the Attorney General, the Deputy Attorney General, or an Associate Attorney General, may thereafter be extended by the court for additional periods of up to 21 calendar days each if the court finds, for each application, reasonable cause to believe that notice of the execution of the warrant will endanger the life or physical safety of an individual, result in flight from prosecution, or result in the destruction of or tampering with the evidence sought under the warrant.''; and

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

''(c) REPORTS.—(1) On a semiannual basis, the Attorney General shall transmit to Congress and make public a report concerning all requests for delays of notice, and for extensions of delays of notice, with respect to warrants under subsection (b).

''(2) Each report under paragraph (1) shall include, with respect to the preceding six-month period—

''(A) the total number of requests for delays of notice with respect to warrants under subsection (b);

''(B) the total number of such requests granted or denied; and

''(C) for each request for delayed notice that was granted, the total number of applications for extensions of the delay of notice and the total number of such extensions granted or denied.''.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Idaho (Mr. OTTER) and a Member opposed each will control 5 minutes.

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

The CHAIRMAN. The gentleman from Virginia (Mr. WOLF) reserves a point of order.

The gentleman from Idaho (Mr. OTTER) is recognized for 5 minutes.

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

I appreciate the chairman allowing me the opportunity to speak on this amendment that I believe renews an important balance between protecting our Nation and confirming the freedom on which our Nation was founded.

While I realize the language is subject to a point of order, I believe it is imperative that we have this debate today. This issue drives to the core of who we hope to be as Americans, and it is important to address it on the floor of this House.

The fourth amendment, which protects us from unreasonable search and seizures by the government, is fundamental to the Bill of Rights because it protects our rights to be individual and to be private. Its creators, under direction, I believe, of their Creator, endorsed the principle that it is the government's role to protect that right and not to encroach upon it. The idea of individuality, that each person is created uniquely and with certain inborn rights that government cannot take away, is the most basic expression of who we are as a Nation and a people.

That is why I am so concerned about the way we have expanded the government's power to delay notification of search and seizure of our privacy. The issue at hand is not when or where or

how often these warrants are used, but that the government holds these broad and sweeping powers at all.

It is important to know that we are safe and secure within the borders of this country. But Americans can only be secure with their liberties, and Americans are only safe, if they are free.

I understand that ''sneak and peek'' warrants were used before the passage of the PATRIOT Act, and I recognize that the courts have upheld their use in limited and extraordinary circumstances, but this does not justify the serious steps taken by the USA PATRIOT Act to erode away the protections offered by the fourth amendment. By broadening the use of ''sneak and peek'' warrants and making them the standard rather than the exception, the PATRIOT Act threatens our liberties that are given us by our Creator and protected under our Constitution.

That is why I am offering this amendment today. My amendment narrows the scope of ''sneak and peek'' and brings back the judicial oversight that was built into our Constitution and is the balance of power in our government. It more carefully defines the very specific circumstances in which a ''sneak and peek'' warrant can be used.

It also employs the notification procedure upheld by most courts before the USA PATRIOT Act. If we are going to codify this already questionable tactic, should we not at least limit it to the practice established by the courts before the USA PATRIOT Act?

This debate is even more critical this year, as we will soon be deliberating reauthorization of parts of the USA PATRIOT Act. While this amendment may not be in order today, I implore my colleagues to give this issue the consideration it deserves when the reauthorization bill does come to the floor.

As Americans, it is our fundamental belief that each of us is ultimately responsible for safeguarding our freedom and our safety. It is our obligation, nay, our duty, Mr. Chairman, as citizens of this great Nation, to see that no one, not even our own government, is allowed to take these freedoms and responsibilities away.

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

Mr. WOLF. Mr. Chairman, we still reserve a point of order.

Mr. OTTER. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Chairman, I thank the gentleman for yielding me this time. I want to compliment the gentleman for bringing this amendment to the floor, and I want to express my disappointment if it is ruled out of order because this is such an important issue.

The fourth amendment is worth fighting for. The Founders of the country thought it was literally worth fighting for, and yet I see us here in the Congress willing to sacrifice it too easily.

One of the arguments is that success has been proven that these easy-to-obtain search warrants have produced success in catching certain criminals, but that does not prove that we could not have done it legitimately by following the fourth amendment; so we do not know whether they would not have been caught or not. Another thing is; does sacrificing security and liberty ever justify more catching of so-called criminals? What if we had a total police state? What if we turned our whole country into a concentration camp? We could make sure there would be no crimes whatsoever.

The trade-off is too great. We should never trade off safety and security for our liberties, and I think that is what we have done with the PATRIOT Act.

I want to congratulate the gentleman for bringing this to our attention; and, hopefully, we will eventually protect the fourth amendment.

Mr. OTTER. Mr. Chairman, might I inquire as to the time left.

The CHAIRMAN. The gentleman from Idaho has 30 seconds remaining.

Mr. OTTER. Mr. Chairman, I yield myself the remaining time.

I would like to close by saying that those people that the gentleman from Texas (Mr. PAUL) talked about are the same people that believe that sidewalks cause rain. They believe that this PATRIOT Act has truly cut down on crime.

Americans have a right to security not only in their persons and their property, but their civil liberties as well. Though I must withdraw my amendment, I am hopeful that we can work together during the upcoming days and weeks in reauthorization debate to offer security to the American people without changing the essence of what it means to be an American.

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

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

There was no objection.

SEQUENTIAL VOTES IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

amendment offered by Mr. WEINER of New York; amendment offered by Mr. INSLEE of Washington; amendment offered by Mr. HAYWORTH of Arizona; amendment offered by Mr. FLAKE of Arizona; and an amendment offered by Mr. HINCHEY of New York.

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

AMENDMENT OFFERED BY MR. WEINER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 31, noes 396, not voting 6, as follows:

[Roll No. 251]

AYES—31

Ackerman
Barrow
Bishop (NY)
Boswell
Bradley (NH)
Carson
Conyers
Davis (IL)
Green, Gene
Hastings (FL)
Higgins
Holden
Israel
Kelly
Kucinich
Lowey
McIntyre
Menendez
Murphy
Owens
Pallone
Pascrell
Payne
Porter
Ramstad
Renzi
Rothman
Strickland
Towns
Velázquez
Weiner

NOES—396

Abercrombie
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hobson
Hoekstra
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe

Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Otter
Oxley
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Cuellar
Hyde
Melancon
Miller (FL)
Oberstar
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1417

Messrs. GEORGE MILLER of California, GUTIERREZ, ENGEL, MICHAUD, BERRY, BUTTERFIELD, ROGERS of Alabama, JACKSON of Illinois, Ms. SCHWARTZ of Pennsylvania, Mrs. BONO, Mr. McGOVERN, Mrs. NAPOLITANO, Mr. LoBIONDO and Mr. FORD changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MILLER of Florida. Mr. Chairman on rollcall No. 251, I was unavoidably detained. Had I been present, I would have voted "no."

Mr. MELANCON. Mr. Chairman, on rollcall No. 251, Had I been on the floor, I would have voted "no."

AMENDMENT OFFERED BY MR. INSLEE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 177, noes 248, not voting 8, as follows:

[Roll No. 252]

AYES—177

Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Bilirakis
Bishop (NY)
Blumenauer
Boucher
Boyd
Bradley (NH)
Brown (OH)
Brown-Waite, Ginny
Butterfield
Capps
Capuano
Cardin
Case
Castle
Clay
Cleaver
Conyers
Costello
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Fossella
Frank (MA)
Gerlach
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Harris
Hastings (FL)
Hefley
Higgins
Hinchey
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson, E. B.
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
Kline
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lowey
Mack
Maloney
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Moore (WI)
Nadler
Napolitano
Neal (MA)
Olver
Ortiz
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Platts
Poe
Pomeroy
Price (NC)
Rangel
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Shays
Simmons
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn
Young (FL)

NOES—248

Abercrombie
Aderholt
Akin
Alexander
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carnahan
Carson
Carter
Chabot
Chandler
Chocola
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Cox
Cramer
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Etheridge
Evans
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Manzullo
Marchant
Markey
Matheson
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Osborne
Otter
Owens
Oxley
Pastor
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanchez, Loretta
Saxton
Schwarz (MI)
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Sherwood
Shuster
Simpson
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—8

Bachus
Cardoza
Cuellar
Hyde
Jones (OH)
Oberstar
Sessions
Shimkus

ANNOUNCEMENT BY THE CHAIRMAN

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

□ 1426

Mr. SHAYS changed his vote from ''no'' to ''aye.''

Mr. BERMAN changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 33 OFFERED BY MR. HAYWORTH

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 124, noes 304, not voting 5, as follows:

[Roll No. 253]

AYES—124

Akin
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilirakis
Bishop (UT)
Bonilla
Bonner
Bono
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Cannon
Carter
Chabot
Coble
Cubin
Cunningham
Davis (KY)
Davis, Jo Ann
Deal (GA)
Diaz-Balart, M.
Drake
Duncan
Emerson
Everett
Feeney
Foley
Forbes
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gohmert
Goode
Goodlatte
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hostettler
Hulshof
Hunter
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
King (IA)
Kingston
Kuhl (NY)
Lewis (KY)
Linder
LoBiondo
Lucas
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McHenry
McIntyre
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Neugebauer
Ney
Norwood
Nussle
Otter
Paul
Peterson (MN)
Peterson (PA)
Petri
Platts
Poe
Pombo
Price (GA)
Ramstad
Renzi
Rogers (AL)
Rohrabacher
Royce
Sensenbrenner
Shadegg
Shaw
Shuster
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiberi
Upton
Wamp
Westmoreland
Whitfield
Young (AK)
Young (FL)

NOES—304

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown, Corrine
Butterfield
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Ford
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Gordon
Granger
Green, Al
Grijalva
Gutierrez
Harman
Harris
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Northup
Nunes
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Pickering
Pitts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Reyes
Reynolds
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Sherwood
Shimkus
Simmons
Simpson
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn

NOT VOTING—5

Cox
Cuellar
Hyde
Oberstar
Sessions

□ 1434

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 210, noes 216, not voting 7, as follows:

[Roll No. 254]

AYES—210

Abercrombie
Ackerman
Allen
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown (SC)
Butterfield
Camp
Capps
Capuano
Cardin
Carson
Castle
Clay
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cubin
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Emerson
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Flake
Ford
Frank (MA)
Gillmor
Gonzalez
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kolbe
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Ney
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wynn

NOES—216

Aderholt
Akin
Alexander
Andrews
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Berkley
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Boustany
Boyd
Bradley (NH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Cannon
Cantor
Capito
Cardoza
Carnahan
Carter
Case
Chabot
Chandler
Chocola
Cleaver
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Culberson
Cunningham
Davis (AL)
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Engel
English (PA)
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Oxley
Pallone
Pascrell
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun (KS)
Salazar
Saxton
Schiff
Sensenbrenner
Shadegg
Shaw
Sherwood
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—7

Brady (TX)
Cuellar
Garrett (NJ)
Hyde
Oberstar
Sessions
Tiberi

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1442

Mr. CLEAVER changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HINCHEY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 161, noes 264, not voting 8, as follows:

[Roll No. 255]

AYES—161

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bartlett (MD)
Beauprez
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Clay
Cleaver
Costa
Crowley
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Doggett
Doyle
Emanuel
Engel
Eshoo
Evans
Farr
Fattah
Filner
Flake
Frank (MA)
Gilchrest
Gonzalez
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Lantos
Larson (CT)
Lee
Lewis (GA)
Lofgren, Zoe
Lowey
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller, George
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Porter
Price (NC)
Rangel
Rehberg
Rohrabacher
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Simmons
Simpson
Slaughter
Smith (WA)
Solis
Stark
Strickland
Tancredo
Tauscher
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—264

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Castle
Chabot
Chandler
Chocola
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costello
Cramer
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Etheridge
Everett
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schwartz (PA)
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Skelton
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Conyers
Cox
Cuellar
Feeney
Garrett (NJ)
Hyde
Oberstar
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

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

□ 1451

Mr. FORD changed his vote from ''aye'' to ''no.''

Mr. BACA changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise to engage in a colloquy with the gentleman from Virginia (Mr. WOLF), the chairman of the subcommittee, and the gentleman from Maryland (Mr. RUPPERSBERGER) on an important issue regarding democracy in Venezuela.

Mr. Chairman, 2 weeks ago, several Members of Congress went to Venezuela and heard about the intimidation by the Venezuelan Government of a democracy advocate named Maria Corina Machado. Ms. Machado is the leader of Sumate, a Venezuelan nongovernmental electoral watchdog. Currently, she is charged by the Venezuelan Government for accepting illicit foreign financial contributions from our own National Endowment For Democracy.

Recently, Ms. Machado was invited to the White House to see the President and share her concerns about the endangered state of democracy in Venezuela. This Congress should stand behind Ms. Machado and support the growth of democracy in Venezuela.

Mr. WOLF. Mr. Chairman, I thank the gentleman from Virginia (Mr. TOM DAVIS).

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

Mr. WOLF. I yield to the gentleman from Maryland.

Mr. RUPPERSBERGER. Mr. Chairman, I concur with the gentleman's interpretation of the difficult situation in Venezuela. Sumate has been one Venezuelan institution that has been willing and able to monitor the antidemocratic behavior of the Venezuelan Government. It has been able to bring the attention of the world to the decline in democracy in that country.

Mr. Chairman, this Congress should be supporting democratic institutions in Venezuela and those individuals fighting on the side of democracy. Does the gentleman from Virginia agree?

Mr. WOLF. Mr. Chairman, I do. I thank the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. RUPPERSBERGER) for their statements and leadership.

I think by their speaking today it sends a message to the world with regard to the importance of us promoting democracy and freedom in Venezuela. Democracy and human rights, whether it be in Venezuela or any place else, are basic fundamental freedoms that must always be preserved and supported.

The United States should always stand with those fighting for those freedoms. The United States should continue to send a clear message to everyone that we will stand with people like Ms. Machado and others like her who speak out for democracy.

I think what the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. RUPPERSBERGER) have done is send a message to the world. They have sent a message to the National Endowment For Democracy that when there is another grant application, that application should be met so she has that opportunity for freedom.

Mr. TOM DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, moving to one other matter, it is my understanding that the 2006 Science, State, Justice and Commerce Appropriations bill requires agencies to notify the Committee on Appropriations 15 days before funds are reprogrammed to implement e-government initiatives.

As the chairman of the authorizing committee with jurisdiction over the E-Government Act, and in fact I was one of the authors of the E-Government Act, I would ask the gentleman from Virginia (Mr. WOLF) if he will share information that he obtains with the Committee on Government Reform on the funding and implementation of e-government initiatives in this bill so we could be so advised.

Mr. WOLF. Mr. Chairman, yes, I would be happy to provide the Committee on Government Reform with information received from the administration regarding e-government initiatives.

AMENDMENT NO. 1 OFFERED BY MR. CHOCOLA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. CHOCOLA: Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available by this Act may be used by the National Aeronautics and Space Administration to employ any individual under the title ''artist in residence''.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Indiana (Mr. CHOCOLA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. CHOCOLA).

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

Mr. Chairman, I thank the gentleman from Virginia (Mr. WOLF) for his good work on this bill. I also appreciate the opportunity to offer this amendment.

This amendment is really about prioritizing spending and fiscal responsibility. Over the last 2 years, NASA has spent $20,000 for an artist-in-residence program. My amendment is designed to prevent or limit that practice in the future.

Mr. Chairman, nowhere in NASA's mission does it say anything about advancing fine arts or hiring a performance artist. In fact, Laurie Anderson, the person that was chosen to perform the role of a performance artist, when she was called to be offered the job, she said, Sure, what do I do?

And the response she got from NASA was, Well, we do not know; we have never done this before.

One of the first things that I did in 2003 after I showed up as a new Member of Congress is I attended a memorial service for the Columbia astronauts. Certainly, spending money by NASA on a performance artist and a artist-in-residence program does nothing to make sure that the shuttle program gets back into space and prevents such tragedies in the future.

Now $20,000 may not seem like much in the Halls of Congress; but to the average American family, it is a significant amount of money. I wish I could say that NASA is boldly wasting taxpayer money where no agency has wasted it before, but I am afraid that the artist-in-residence program is just a symptom of a bigger problem.

Recently, the Heritage Foundation identified $386 billion of waste, fraud, and abuse in government spending. Every American business and every American family must make hard decisions to stand by their budget and eliminate wasteful funding, and the Federal Government should be no different and NASA should not be spending taxpayer dollars on a performance artist. I encourage all of my colleagues to support this amendment.

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

Mr. CHOCOLA. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, I think this is a good amendment and I accept it.

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

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

Mr. Chairman, I rise not in opposition, I am going to agree to the amendment, but I would like to have some comment before I do.

Mr. Chairman, I think this is a regrettable amendment for a number of reasons.

First of all, it involves an awfully little bit of money. Secondly, I think it sends a really bad signal. Indeed, one of NASA's missions is to inspire; and it has had an arts program, a very small arts program since 1962. Such luminaries as Norman Rockwell have participated in it over the years.

It is in furtherance of part of NASA's mission. NASA's mission is to inspire, to educate. Indeed, in the education theme of NASA's FY 2006 budget, it states: ''To develop the next generation of explorers, NASA must do its part to inspire and motivate students to pursue careers in science and technology and engineering and in mathematics.''

□ 1500

A part of it is connectivity. One of the ways NASA has done that, if anyone has visited its facilities, is through beautiful murals and other art initiatives. This particular initiative that the gentleman is speaking to is the appointment of Laurie Anderson as an

artist-in-residence, which is another phase, if you will, in NASA's arts program. It is a worthy program. It has developed over those years since 1962 an awful lot of memorable artworks. There is no reason to believe that this initiative, which is so modest in nature, would do anything but further enhance the arts program at NASA. Again, it is so small that it is just minuscule. I am afraid the amendment really represents more art bashing than it does good fiscal policy.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

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

Ms. JACKSON-LEE of Texas. As a member of the Committee on Science, might I just say to the gentleman, he could not be more correct as relates to a tool of inspiration. Let me also emphasize that the Committee on Science works in a bipartisan way on education, helping to educate young people or encourage young people to participate or to be interested in math and science.

One of the key issues happens to be girls in math and science and for them to be unafraid of those disciplines. This kind of inspirational film that was first shown internationally and then shown nationally is the kind of very small investment that seeks to inspire similarly as young people were inspired in the 1960s, led by President John F. Kennedy and Camelot, speaking about our ability to travel into space.

I am disappointed that we would focus $20,000 on this very positive effort. I would hope that we would think of this in a different manner. I would hope that boys and girls and young people across America who are deciding to go into the sciences and get graduate degrees and Ph.D.s and might, I say particularly those in the Hispanic and African American community, which we work on in a bipartisan way on the Science Committee, Historically Black Colleges, Hispanic-serving institutions, I would hope that they would still have an opportunity to see an inspiring film such as this one, and that NASA would not be limited from investing in educational projects that will generate millions of dollars in research and opportunity for our youth.

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

Mr. Chairman, this is not an art-bashing amendment. Nothing could be further from the truth. It is simply a fiscal responsibility amendment. We must make decisions on how to prioritize spending. NASA will continue to have an art program. They have an art curator. They have an education program with a chief education officer. The ability to communicate the mission of NASA and the benefits of space exploration are still intact fully. But we have to make hard decisions. Having an artist-in-residence that produces a play that has minimal, if any, relationship to NASA and the mission of NASA is not wise spending of taxpayer dollars.

I appreciate the chairman's support of this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. CHOCOLA).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. JONES OF OHIO

Mrs. JONES of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. JONES of Ohio:

Page 108, after line 7, insert the following title:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to close or consolidate any office of the Equal Employment Opportunity Commission or to make any reductions in the number of full-time officers or employees in any such office, or to reduce the number of full-time officers or employees serving as supervisors, management officials, mediators, examiners, investigators, or attorneys in such office, as part of any workforce repositioning, restructuring, or reorganizing of the Commission that is authorized under law.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentlewoman from Ohio (Mrs. JONES) and the gentleman from Virginia (Mr. WOLF) each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Chairman, I yield myself such time as I may consume.

First of all, I want to thank the gentlewoman from California (Mrs. CAPPS) for cosponsoring this amendment. Our amendment deals with the issue of the Equal Employment Opportunity Commission. I am a former trial lawyer for the EEOC and also want to add the name of the gentlewoman from the District of Columbia (Ms. NORTON) as a supporter of this amendment. She would be here, but she had another piece of legislation to work on.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my good colleague from Ohio for yielding me this time.

Mr. Chairman, for 40 years the Equal Employment Opportunity Commission has been charged with ensuring that all citizens get a fair shot in the workplace, but now the Chair of the Commission is pushing a reorganization plan which may seriously compromise the agency's ability to protect employees from discrimination. This plan has had neither hearing nor review by this body. Nevertheless, the administration proposal is that many offices will be downgraded while others will experience an increase in jurisdiction and workload without a comparable increase in staff. This is in addition to an already growing backlog of cases which have yet to be investigated.

Mr. Chairman, I wish I could say that since the passage of employment anti-discrimination laws that discrimination has been eliminated in the workplace, but the truth is discrimination still exists. Job applicants are all too frequently judged on the basis of their skin color. Women are still subjected to sexual harassment. Persons with disabilities are passed over for employment even when they have the necessary skills.

I hope my colleagues will join me in voting in favor of the Jones-Capps amendment so that we can ensure that our constituents will continue to find a resource available to them which will protect them from discrimination in the workplace.

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

I can assure the gentlewoman that the committee has been closely following EEOC's plan to reorganize over the last 3 years. The committee has even asked the Government Accountability Office to evaluate EEOC's proposals to reposition the agency with a particular focus on the National Contact Center pilot project. I just asked the staff. GAO has not come back yet, and they are not late. We just asked them to do this last year.

Also we have language in the bill on page 78 that says, ''Provided further, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations have been notified of such proposals in accordance with the reprogramming provisions of section 605 of this act.''

The gentleman from West Virginia and myself would look at that before they could go ahead. It really does, though, unnecessarily restrict the agency's ability to restructure. We will be glad to work with the gentlewoman and listen to her, but I think just to accept this amendment now would really be wrong, particularly with the language that we currently have in this bill that provides that the Committee on Appropriations can stop any reorganization, or they have to come up to the committee before they move ahead.

I oppose the amendment.

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

Mrs. JONES of Ohio. Mr. Chairman, I thank the gentleman from Virginia so much for the support he has given me with regard to repositioning of the EEOC, but the issue is so important to the people that I represent that I must continue to argue my amendment.

Mr. Chairman, I yield 1½ minutes to the gentleman from North Carolina (Mr. WATT), the chair of the Congressional Black Caucus.

Mr. WATT. Mr. Chairman, I thank the gentlewoman for yielding me this time.

In the Congressional Black Caucus' agenda that we rolled out on January

27 of this year, one of the things that we said was we cannot take a step back in the employment area, and that one of the important things that we have to have is aggressive enforcement of the employment discrimination laws of the Nation.

It was shocking to us when on May 13 of this year, we received notice that on May 16, the EEOC was planning to vote on a restructuring proposal. We immediately sent out a letter to the EEOC saying, please do not reduce the number of district offices from 23 to 15 or downgrade the field offices and reduce the number of attorneys' positions, because that could have a substantial negative effect on the enforcement of our employment discrimination laws. The last thing we need is to take a step back from enforcement. We need to be taking more aggressive steps to provide more employment opportunities, not taking steps backwards.

We think this amendment is absolutely critical. On behalf of the 42 House Members of the Congressional Black Caucus, I urge my colleagues to support this amendment and absolutely guarantee that no action can be taken on this restructuring proposal.

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

As I said, I served as a trial lawyer for the Equal Employment Opportunity Commission in the Cleveland district office. As a part of that responsibility, we were required to oversee parts of Kentucky, parts of Cincinnati, and several other areas. It is very, very important that a sufficient number of workers are available to handle EEOC cases.

The other thing that is so very important is the fact that training in the laws of EEOC are very important. It is my understanding that there is a proposal to put in place in area offices temporary workers to answer the phone who have no experience in EEOC laws or litigating or being able to advise persons calling in. That is the reason that I would offer the amendment that says that none of the funds made available in this act may be used to close or consolidate any office of the Equal Employment Opportunity Commission, or to make any reductions to the number of full-time officers or employees in any such office, or to reduce the number of full-time officers or employees serving as supervisors.

Currently the caseload of the EEOC continues to rise at the same time we are reducing the number of workers available to try, litigate or even consolidate or settle some of these cases.

□ 1515

I thank the gentleman from Virginia (Mr. WOLF), chairman, and other members of the committee for the support they have given me with regard to the EEOC, but I would continue to say this area is so very important, we cannot afford to sit down on the issue.

Mr. Chairman, just for the record, I would like to thank my staffer Terence Houston for all the work he has done on this issue.

The CHAIRMAN. The time of the gentlewoman has expired.

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

I rise in opposition to the amendment. I understand what the gentlewoman is trying to do. I again want to remind Members, though, that the language in the bill prohibits them from moving ahead until they come to the Committee on Appropriations. So I oppose the language because the language unnecessarily restricts the agency's ability to restructure itself to meet the ever-changing needs of its constituency. We will listen to the gentlewoman, but an outright ban on closing or consolidating offices does not seem responsible in this tight budgetary requirement. We know that the EEOC is currently managing in a tight budget, and I think tying their hands could actually make the matters worse.

I am sure the gentlewoman is going to move ahead with her amendment. I think that is fine. We will work with her if she wins. God bless her. If she loses, the gentleman from West Virginia (Mr. MOLLOHAN) and I will work to make sure that before we approve any reprogramming, we talk to her and also let her see what the GAO says when they come up with their report.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Mrs. JONES).

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

Mrs. JONES of Ohio. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Ohio (Mrs. JONES) will be postponed.

AMENDMENT NO. 21 OFFERED BY MR. HOSTETTLER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21 offered by Mr. HOSTETTLER:

Page 108, after line 7, insert the following:

TITLE VIII—MISCELLANEOUS

SEC. 801. None of the funds appropriated in this Act may be used to enforce the judgment of the United States District Court for the Southern District of Indiana in the case of Russelburg v. Gibson County, decided January 31, 2005.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Indiana (Mr. HOSTETTLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. HOSTETTLER).

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

In Russelburg v. Gibson County, a Federal district judge in the Southern District of Indiana ruled that the presence of a monument depicting the Ten Commandments in Gibson County amounts to a government establishment of religion because, as he stated, the display ''is in violation of the Establishment Clause of the first amendment to the United States Constitution.''

This decision is inconsistent with both the clear intent of the framers and the Christian heritage of the United States, which was recounted by the Supreme Court in 1892. While it is true this opinion is consistent with more recent Supreme Court decisions, it is time that Congress exercise its authority to end the practical effect of this judicial misunderstanding. My amendment would prevent any funds from being used to enforce this unconstitutional and unlawful judgment.

The local Fraternal Order of Eagles placed the monument on the Gibson County courthouse lawn in 1956. Clearly, this generous gift to the community is not the equivalent of Congress passing a law to establish a national religion.

Mr. Chairman, here are the facts: Federal statute says, ''Except as otherwise provided by law or Rule of Procedure, the United States Marshals Service shall execute all lawful writs, process, and orders issued under the authority of the United States . . . ''

Since this ruling by the Southern District Court in Indiana is not a lawful decision consistent with the Constitution, I will utilize Congress's article I, section 8 power of the purse to prevent any funding from being used by the U.S. Marshals Service to remove the Ten Commandments monument.

Mr. Chairman, the Founders of this great Nation foresaw the problem of courts imposing their own political views through their judgments and wrote about it.

In promoting the adoption of the U.S. Constitution, Alexander Hamilton wrote in Federalist No. 78: ''Whoever attentively considers the different departments of power must perceive that in a government in which they are separated from each other, the judiciary . . . is beyond comparison the weakest of the three departments of power;

''The judiciary . . . has no influence over either the sword or the purse, no direction either of the strength or of the wealth of the society, and can take no active resolution whatever. It may truly be said to have neither force nor will but merely judgment . . . ''

Mr. Chairman, given the fact that the judiciary has neither force nor will, it is left to the executive and the legislative branches to exert that force and will.

Time and again I am sure that my fellow Members of Congress are asked about unconstitutional decisions made by the Federal courts, and many of us say there is nothing we can do. That answer is inconsistent with our Constitution and the vision of our Founders. We can do something.

And, Mr. Chairman, that is not only my opinion and the opinion of the framers of the Constitution and the authors of the Federalist Papers. It is also the opinion of a rather noted jurist by the name of John Marshall. Many in this body may recall that Mr. Marshall was actually Chief Justice of the United States Supreme Court. While he served as Chief Justice of the Supreme Court, he had an occasion to correspond with an Associate Justice, Samuel Chase.

It seems that Justice Chase was the object of impeachment proceedings in the House of Representatives for, among other things, suggesting that Federal judiciary could disregard the clear intent of the legislature when considering cases before his court.

Chief Justice Marshall asserted to Justice Chase that there was a superior mechanism for the legislature to consider over that of impeachment when the Congress disapproved of the opinion of the Federal judiciary. Marshal stated: ''I think the modern doctrine of impeachment should yield to an appellate jurisdiction in the legislature. A reversal of those legal opinions deemed unsound by the legislature would certainly better comport with the mildness of our character than would a removal of the judge who has rendered them unknowing of his fault.''

Marshall's Pulitzer Prize-winning biographer, Albert Beveridge, observes of this assertion made by Marshall 11 months after Marbury v. Madison: ''Marshall thus suggested the most radical method for correcting judicial decisions ever advanced, before or since, by any man of the first class. Appeals from the Supreme Court to Congress. Senators and Representatives to be the final judges of any judicial decision with which a majority of the House was dissatisfied.''

Mr. Chairman, today is a great opportunity for us to exercise that very authority ''advanced'' by Chief Justice Marshall concerning the legislature vis-a-vis the judiciary.

After this vote, Mr. Chairman, our constituents will ask us, Congressman, do we have a voice in these most fundamental decisions, or are we condemned to wait on a new Supreme Court Justice who may or may not inject common sense into the judiciary's opinions?

And we will be able to tell them, Yes, you do have a say. The Constitution explicitly provides it. And venerated jurists such as John Marshall have ''advanced'' it.

This legislation is where we fund any executive agency that would enforce the Southern District Court of Indiana's judgment in this case. My amendment would prevent any funds within that act from being used to enforce the erroneous decision in Russelburg v. Gibson County, and I ask my colleagues to support the amendment.

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

Mr. NADLER. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from New York (Mr. NADLER) is recognized for 5 minutes.

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

Mr. Chairman, the issue in this amendment has nothing to do with the Ten Commandments. It has nothing to do with whether the Ten Commandments, or a sculpture of them, I assume, should be removed from wherever it is in Indiana. The issue in this amendment is should Congress prohibit the enforcement of a decree of a Federal court. There is nothing more fundamental to the rule of law in this country that once a Federal court issues a decision, sometimes it may be appealable, but once there is a final court order, that is the law.

Chief Justice Marshall said in Marbury v. Madison 200 years ago, and I know that the gentleman from Indiana stated he thinks that case was wrongly decided, and he is entitled to his opinion, but it is the foundation of law in this country that it is emphatically the duty of the judiciary to say what the law is.

If Congress wants to change the law, that is our prerogative. If we want to begin the process of amending the Constitution, that is our prerogative. But in terms of interpreting what the law is, what the Constitution commands, what the law passed pursuant to the Constitution says, that is the job of the courts. To fail to enforce court orders, to arrogate to this body the right to say that we do not like a particular decision, we do not agree with the court's interpretation of the Constitution, we do not agree with the court's interpretation of a law that we passed, therefore they may not enforce the law, is to say that we are no longer a Nation of laws. It is to say that we are no longer a Nation governed by a Constitution.

This amendment is subversive in the extreme. If we can adopt this amendment saying that we shall not enforce the decision ''no funds herein appropriated may be used to enforce the decision of the court,'' in this particular instance in the Southern District of Indiana, then we can pass a bill that says we shall not enforce a decision of the court that says so and so may not go to jail or so and so must go to jail or anything else.

No Member of this House who believes in the rule of law should vote for this amendment. The subject matter on which it is specifically aimed, the particular decision of the court, is not relevant. When President Eisenhower was faced in Little Rock, Arkansas, in 1957 with a question of sending in U.S. marshals to enforce the decree of the court in desegregating Little Rock High School, he did not approve of that decision. His biographers tell us he was not happy with it. But he sent in the U.S. marshals because the law, as decreed by the courts, as passed by Congress, as interpreted by the courts, must be enforced.

If that is not the case, if the court's determination of what the law is is not the final arbiter, which we had that once in our history, then the final arbiter becomes the cannons and the guns. The rule of law must be supreme in this country.

During the Clinton impeachment, we heard from the other side of the aisle about the rule of law. We disagreed with the rule of law dictated, but here there can be no question. The court orders must be enforced, and anyone who says that we shall not spend money to enforce a court order because I do not like that particular court order or we do not agree with that particular court order is subversive of liberty, subversive of the Constitution, subversive of every human right, and subversive of the very notion of American liberty and democracy.

This amendment should not be agreed to.

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

The CHAIRMAN. The Chair would remind Members that the gentleman from New York (Mr. NADLER) has 1 minute remaining, and the gentleman from Indiana (Mr. HOSTETTLER) has 30 seconds remaining and he has the right to close.

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

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

There have been the terms ''subversive'' and ''subversion'' used a lot in the gentleman's remarks. I would simply like to point the gentleman to the very words of the individual he believed he was quoting from earlier in that the final word by Chief Justice Marshall, while he was Chief Justice of the United States Supreme Court, is very clear. It may be considered by the gentleman from New York to be subversive, but it is quite clear. John Marshall said: ''I think the modern doctrine of impeachment should yield to an appellate jurisdiction in the legislature. A reversal of those legal opinions deemed unsound by the legislature would certainly better comport with the mildness of our character than would a removal of the judge who has rendered them unknowing of his fault.''

Let us today preserve the subversion of Chief Justice John Marshall and allow this amendment.

The CHAIRMAN. The gentleman's time has expired.

The question is on the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER).

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

Mr. HOSTETTLER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on

the amendment offered by the gentleman from Indiana (Mr. HOSTETTLER) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT NO. 23 OFFERED BY MS. JACKSON-LEE OF TEXAS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 23 offered by Ms. JACKSON-LEE of Texas:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 8___. None of the funds made available in this Act may be used to facilitate the issuance of affirmances by single members of the Board of Immigration Appeals (BIA) without an accompanying opinion.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

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

I look forward to working with the ranking member and the chairman of the subcommittee, and I want to thank them again for their courtesies as well as their staffs' courtesies in working through some of the issues that we find very troubling and important to address in this appropriation.

My amendment at the desk is one that I offer dealing with the Board of Immigration Appeals affirmances, which I intend to subsequently withdraw, and I would like to enter into a colloquy with the chairman as well as the ranking member of the subcommittee on this important issue.

It relates to the administrative review and appeals and immigration-related activities referenced in title I of this act. This matter is near and dear to many who understand the importance of the Board of Immigration Appeals.

I believe that we should withhold funds in the act for programs that would facilitate the issuance of affirmances by single members of the Board of Immigration Appeals, the BIA, without an opinion. This would protect the petitioner for immigration review by ensuring that their $110 filing fee does not leave them with a simple ''affirmed'' with no basis for a decision.

□ 1530

That means they have nothing to rely upon at a subsequent time. This really goes to the question of legal immigration, and it goes to the question of ensuring that we are vigorous in protecting and fighting for legal immigration as we are for fighting against illegal immigration.

This would protect the due process rights of the petitioner. The proportion of affirmances without opinion decided by a single board member has increased from 10 percent to over 50 percent of all board decisions beginning immediately after the new rules were proposed. Part, of course, of the reason is because of the overwhelming number of cases.

At the same time, the proportion of cases that are favorable to the alien decreased. Prior to proposing the procedure reforms, one in four cases were decided in favor of the opinion. Since then, only 1 in 10 is decided in favor of the alien, and there is no opinion, just an affirmation.

It is important to note that a wide number of organizations and academics in immigration law believe that these affirmances without opinion by single-member review has created bad legal and administrative precedent and an incentive to rubber-stamp immigration judges' decisions. Affirmance without opinion is much faster and easier than writing a decision and creates an incentive, whether conscious or unconscious, for board members to meet case processing guidelines by affirming removal orders, notwithstanding the merits of the appeal. The rights of the petitioner and due process requires a thorough review. That is what the appeals process is all about.

Moreover, intellectual rigor in decisionmaking may be diminished because board members no longer need to articulate the basis for their decisions. They need only to decide whether they agree with the result ultimately reached by the immigration judge. A panel of three board members is far more likely to catch an error below than a single board member.

In the immigration context, there is only one administrative hearing before the case reaches the board. Other administrative agencies that employ single-member review have several layers of administrative process. That is why it is important to change or to look into this procedure at the Bureau of Immigration Appeals.

Single-member review makes it difficult for the board itself to determine whether its members are making errors. The courts of appeal, when such review is available, similarly lack guidance when reviewing the decisions of the immigration judges and the board.

Now I would like to reaffirm my position, which is to suggest that the idea of a de novo hearing in the Federal District Court and the Court of Appeals is an option that should be considered important by giving the Bureau, if you will, more substance in its determination.

Mr. WOLF. Mr. Chairman, will the gentlewoman yield?

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

Mr. WOLF. Mr. Chairman, it is my understanding that the gentlewoman is withdrawing the amendment; is that accurate?

Ms. JACKSON-LEE of Texas. Yes.

Mr. WOLF. Mr. Chairman, I thank her for bringing this to our attention.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would like to yield to the chairman. This is a colloquy that is before him.

Mr. WOLF. Mr. Chairman, if the gentlewoman will yield further, I do not have a colloquy before me. We are aware of the amendment. The gentlewoman makes some valid points. What I told the staff to say is we would work to see what could be done with regard to the filing. But I understand the gentlewoman is withdrawing the amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I am withdrawing it with the idea that it is an important issue, and I hope that the committee can work together with me on this issue, because, as I indicated in my earlier remarks, the importance of fighting for a system of legal immigration that shows due diligence is as important as it is for fighting against illegal immigration.

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

Mr. Chairman, we will work with the gentlewoman. As we understand more and learn about it, we will keep good faith and work with the gentlewoman, and also the gentleman from West Virginia (Mr. MOLLOHAN).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT NO. 15 OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. SANDERS:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to make an application under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) for an order requiring the production of library circulation records, library patron lists, book sales records, or book customer lists.

The CHAIRMAN. Pursuant to the order of the House of June 14, 2005, the gentleman from Vermont (Mr. SANDERS) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I yield myself 3 minutes and 40 seconds.

Mr. Speaker, along with the gentleman from Idaho (Mr. OTTER), the gentleman from Michigan (Mr. CONYERS), the gentleman from Texas (Mr. PAUL), the gentleman from New York (Mr. NADLER) and the gentleman from

New Mexico (Mr. UDALL), I am again offering the freedom to read amendment. This tripartisan amendment, which has the support of progressives, conservatives and people of all political stripes, would prevent the Justice Department and the FBI from using section 215 of the PATRIOT Act to access library circulation records, library patron lists, book sale records or book customer lists.

This amendment is being supported throughout our country by librarians, book sellers and all Americans who want Congress to be vigorous in protecting the American people from terrorism, but want to make sure that we do that without undermining the basic constitutional rights which have made us the free country that we are.

Mr. Speaker, this amendment is similar to the amendment I offered last year, which lost by a 210–210 vote after the voting rolls had been kept open for an extra 20 minutes.

There is one difference in this amendment compared to last year's that I do want to emphasize: I have heard from some Members who have expressed concerns about the possible need for the FBI to access library Internet records. Some Members believe that by exempting library Internet records from section 215, we could be creating an opportunity for terrorists.

The amendment today addresses that concern and does not apply to library Internet records. Under this amendment, the FBI could still use a section 215 order to obtain these records. This amendment only applies to the records that contain information on which books people are checking out of the library or buying from a bookstore.

Mr. Speaker, setting aside all of the legalese, let me tell you what this amendment does. Let me also tell you why the American Library Association, the American Booksellers Association and many other organizations are supporting it. Let me also at this time remind Members that seven States, Vermont, Alaska, Colorado, Hawaii, Idaho, Maine and Montana, as well as 379 municipalities across the country, have gone on record by passing resolutions expressing their concerns about the PATRIOT Act.

Mr. Speaker, the American people want to know that when they borrow a book from a library or buy a book from the bookstore that the government will not have access to the titles of the books they are reading. They want to read what they want to read without government looking over their shoulder and without Uncle Sam becoming Big Brother and spying on them.

Under section 215 as currently written, the FBI can walk into a secret FISA court, tell a judge that he is doing an investigation on terrorism, and that judge has to grant the FBI the right to go to a library or a bookstore and obtain their reading records. The FBI need not show probable cause nor even reasonable grounds to believe that the person whose records it seeks is engaged in criminal activities. The simple truth is that the FBI could spy on a person because they do not like the books she reads or because she wrote a letter to the editor critical of government policy.

Further, those served with section 215 orders are prohibited from disclosing the fact to anyone else. Those who are the subjects of the surveillance are never notified that their privacy has been compromised.

Mr. Speaker, that is not supposed to be what America is about and not what a free society is about. If the government can make the case that getting records from a library or bookstore can help us fight terrorism, I want them to get those records. In fact, they have always had the ability to get those records and will be able to get those records in the future through normal law enforcement processes.

But whether it is through the grand jury subpoena process or the process of getting a search warrant, there are well-established judicial safeguards to protect Americans' basic civil liberties from government overreaching. Under those long-established judicial safeguards, the FBI must demonstrate that its need for information is legitimate. They cannot get it just because they want it, and that is what this amendment is all about.

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

The CHAIRMAN. The gentleman from Virginia claims the time in opposition and is recognized for 20 minutes.

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

Mr. Chairman, the Committee on the Judiciary has held over 10 hearings on the PATRIOT Act, including a hearing devoted just to this issue. The Committee on the Judiciary is planning on marking up the PATRIOT Act reauthorization bill in the near future, and the authorizers will certainly give this very close attention.

The authority of the Justice Department to obtain a library or bookstore record is not without appropriate checks and balances. A Federal judge must approve the use of this authority before the Department of Justice can obtain business records, including book records. This authority can only be used to obtain foreign intelligence information, not concerning a U.S. person, or "to protect against international terrorism or clandestine intelligence activities." It cannot be used to review the reading habits of the general public.

Mr. Chairman, I will include for the record a letter from the Justice Department dated June 14. It says the following:

"Further, libraries and bookstores have never been exempt from similar investigative authorities. Prosecutors have always been able to obtain records for criminal investigations from bookstores and libraries through grand jury subpoenas. For instance, in the recent case of Olympic Park bomber Eric Rudolph, a grand jury served a subpoena on a bookseller to obtain records showing that Rudolph had purchased a book giving instructions on how to build a particularly unusual detonator that had been used in several bombings. This was important evidence identifying Rudolph as the bomber.

"In the 1997 Gianni Versace murder case, a Florida grand jury subpoenaed records from the public libraries in Miami Beach. Similar in the 1990 Zodiac gunman investigation, a grand jury in New York subpoenaed library records after investigators came to believe that the gunman was inspired by a Scottish occult poet and wanted to learn who had checked out that poet's book.

"Finally, bookstores and libraries should not be carved out as safe havens for terrorists and spies, who have, in fact, used public libraries to do research and communicate with their coconspirators. For example, in March and April of 2004, Federal investigators in New York conducted surveillance on an individual who was associated with al Qaeda. In the course of tracking the individual, investigators noted that, although he had a computer at his home, he repeatedly visited the library to use the computer. Investigators discovered that the individual was using the library computer to e-mail other terrorist associates around the world."

Lastly, it goes on to say, "We know that Brian Regan, a former TRW employee at the National Reconnaissance Office, who recently was convicted of espionage, extensively used computers at five public libraries in northern Virginia and Maryland to access addresses for the embassies of certain foreign governments. This evidence, which also showed that Regan consulted a book present at the library, 'How to Be Invisible,' to further his scheme, was critical during his trial."

Mr. Chairman, I include the entire letter for the RECORD.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, June 14, 2005.

Hon. FRANK WOLF,
Chairman, Subcommittee on Science, State, Justice, and Commerce, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Department of Justice is pleased to provide information about section 215 of the USA PATRIOT Act ("PATRIOT Act"), an invaluable authority afforded to national security investigators when Congress overwhelmingly passed the Act more than three years ago. It is critical that Congress' decision whether to continue this vital tool in the war on terror be informed by reason, rather than rhetoric. We would oppose any amendment that would unduly restrict our ability to compel the production of records relevant to sensitive terrorism and espionage investigations. As stated in the statement of Administration policy released today on H.R. 2862—Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006—if any amendment that would weaken the PATRIOT Act were adopted and presented to the President for his signature, the President's senior advisors would recommend a veto.

Section 215 of the PATRIOT Act provides a useful tool for catching terrorists and spies by specifically authorizing the Foreign Intelligence Surveillance Court (''FISA Court'') to require a person or organization to produce ''tangible things'' that are relevant to international terrorism and espionage investigations. These are the same types of materials that prosecutors have long been able to obtain with grand jury subpoenas in criminal investigations. Moreover, section 215 and grand jury subpoenas are both governed by a similar relevance standard; with respect to section 215, the requested records must be relevant to a national security investigation while with respect to grand jury subpoenas, the requested records must be relevant to a criminal investigation. As a result, section 215 applies in a much narrower set of circumstances than do grand jury subpoenas. While grand jury subpoenas can be used to investigate all types of criminal conduct, section 215 can only be used ''to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities, provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution.'' 50 U.S.C. §1861(a)(1).

Further, contrary to misleading rhetoric about section 215, it does not empower FBI agents to obtain records without a court order. Rather, section 215 can be used to obtain documents only with an order from the FISA Court. Thus the Department's use of section 215 requires more scrutiny than do grand jury subpoenas, which are generally issued without prior judicial approval. Moreover, we have taken the position in litigation that: 1) recipients of a section 215 order may disclose receipt of an order to an attorney and; 2) recipients may challenge a section 215 order in FISA court. In addition, the Attorney General has testified that the Department of Justice supports amending section 215 to clarify any ambiguity related to these points.

In addition to the requirement of court approval, this provision establishes other important safeguards. For instance, section 215 provides for thorough congressional oversight. On a semi-annual basis, the Attorney General is required to ''fully inform'' Congress on the Department's use of section 215. In addition, the Attorney General must report to Congress the number of times agents have sought a court order under section 215, as well as the number of times such requests were granted, modified, or denied during the preceding six month period. See 50 U.S.C. §1862.

The Attorney General recently declassified the fact that as of March 30, 2005 section 215 of the PATRIOT Act had been used 35 times, and had never been used to obtain bookstore or library records, medical records, or gun sale records. Rather, section 215 orders had only been used to obtain driver's license records, public accommodations records, apartment leasing records, credit card records, and subscriber information, such as names and addresses, for telephone numbers captured through court-authorized pen register devices. These figures demonstrate that investigators have used this tool judiciously and responsibly. The provision, moreover, has assisted the Department's national security investigations as there can be a number of situations in which the ability to access documents pursuant to a section 215 order is critical to an international terrorism or espionage investigation, particularly in the early stages of an investigation when officers are trying to develop leads.

Section 215 has been attacked for its potential application to libraries, with some critics suggesting that libraries should be exempted from it or that the provision should be repealed altogether. These critics ignore statutory context, well-established grand jury practice, and the reality of the terrorist threat. First, although a section 215 order could be issued to a bookstore or library if it possessed records relevant to an espionage or international terrorism investigation, the provision does not single them out or even mention them. Indeed, as noted above, the provision, as of March 30, 2005, had never been used to request library records. And, in any event, such a request would have to be approved by a court, ensuring an independent check on the Department's investigators.

Further, libraries and bookstores have never been exempt from similar investigative authorities. Prosecutors have always been able to obtain records for criminal investigations from bookstores and libraries through grand jury subpoenas. For instance, in the recent case of Olympic Park bomber Eric Rudolph, a grand jury served a subpoena on a bookseller to obtain records showing that Rudolph had purchased a book giving instructions on how to build a particularly unusual detonator that had been used in several bombings. This was important evidence identifying Rudolph as the bomber. In the 1997 Gianni Versace murder case, a Florida grand jury subpoenaed records from public libraries in Miami Beach. Similarly, in the 1990 Zodiac gunman investigation, a grand jury in New York subpoenaed library records after investigators came to believe that the gunman was inspired by a Scottish occult poet and wanted to learn who had checked out that poet's books.

Finally, bookstores and libraries should not be carved out as safe havens for terrorists and spies, who have, in fact, used public libraries to do research and communicate with their co-conspirators. For example, in March and April of 2004, Federal investigators in New York conducted surveillance on an individual who was associated with al Qaeda. In the course of tracking the individual, investigators noted that, although he had a computer at his home, he repeatedly visited a library to use the computer. Investigators discovered that the individual was using the library computer to e-mail other terrorist associates around the world. The library's hard drives were scrubbed after each user finished, and he used the computer at the library because he believed that the library permitted him to communicate free of any monitoring. This individual is now in Federal custody.

In addition, investigators tracing the activities of the 9–11 hijackers determined that, on four occasions in August of 2001, individuals using internet accounts registered to Nawaf Al Hazmi and Khalid Al Mihdar used public access computers in the library of a State college in New Jersey. The computers in the library were used to shop for and review airline tickets on an internet travel reservations site. Al Hazmi and Al Mihdar were hijackers aboard American Airlines Flight 77, which took off from Dulles Airport and crashed into the Pentagon. The last documented visit to the library occurred on August 30, 2001. On that occasion, records indicate that a person using Al Hazmi's account used the library's computer to review September 11 reservations that had been previously booked.

Similarly, investigators have received information that individuals believed to be Wail Al Shehri, Waleed Al Shehri, and Marwan Al Shehhi visited the Delray Beach Public Library, in Delray Beach, Florida. Wail Al Shehri and Waleed Al Shehri entered the library one afternoon in July of 2001 and asked to use the library's computers to access the internet. After about an hour, a third man, Marwan Al Shehhi, joined them. Waleed and Wail Al Shehri were hijackers aboard American Airlines Flight 11, while Al Shehhi was the pilot who took control of United Airlines Flight 175. Both of those flights crashed into the World Trade Center. A witness who recognized photos of the three individuals that ran in newspaper articles after the September 11 attacks, provided the information about the Delray Beach library visit. While no records exist to confirm the hijackers' visit to the Delray Beach library, the timing, location and behavior described are consistent with other information gathered in the course of the investigation.

We also know that Brian Regan, a former TRW employee at the National Reconnaissance Office, who recently was convicted of espionage, extensively used computers at five public libraries in Northern Virginia and Maryland to access addresses for the embassies of certain foreign governments. This evidence—which also showed that Regan consulted a book present at the library, How to be Invisible, to further his scheme—was critical during his trial.

Simply put, section 215 of the PATRIOT Act provides national security investigators with an important tool for investigating and intercepting terrorism, and at the same time establishes robust safeguards to protect law-abiding Americans. We hope that this information assists you.

Thank you for the opportunity to present our views. Please do not hesitate to call upon us if we may be of additional assistance. The Office of Management and Budget has advised us that from the perspective of the Administration's program, there is no objection to submission of this letter.

Sincerely,

WILLIAM E. MOSCHELLA,
Assistant Attorney General.

Mr. WOLF. Mr. Chairman, I see the gentlewoman from California (Ms. HARMAN) down there. I listened to her the other day on NPR. I was the author of the National Commission on Terrorism. They all laughed on it, frankly, and had I not been on the Committee on Appropriations, we could not have gotten it passed. The gentlewoman was on, and I remember the gentlewoman's statement the other day where she said had they listened to the recommendations, which this Congress and almost nobody did, of the Commission, maybe, maybe, 9/11 may not have taken place.

I do not know if the gentleman's amendment is the right amendment or not. I do know that 30 people from my congressional district died in the attack on the Pentagon on 9/11. I also know that the first CIA agent, from my congressional district, from Manassas Park, was the first one to die in the attack when we went into Afghanistan with regard to the Taliban.

Now, is the gentleman from Vermont (Mr. SANDERS) right? Maybe. But is the gentleman from Vermont (Mr. SANDERS) wrong? Maybe.

So I say in the interest of what took place in this country, and because of the fact that nobody listened to the gentlewoman from California (Ms. HARMAN) and also the Bremer Commission, and the fact is we were ridiculed by it when it came out, and the CIA even opposed it and ridiculed it, and the gentlewoman is right, had it been listened to, and I say listened to the

authorizers, let us see what the authorizers say. Then the gentleman, after he listens can come out on that committee and offer an amendment, and it ought to be made in order.

This is not the place, and I do not want to make a mistake that may very well lead to something else happening, because, God forbid, if something else happened in this country, and the FBI comes under our jurisdiction, and the gentlewoman from California (Ms. HARMAN) knows more about it than I do, but there are people, Hamas is in this country, Hezbollah is in this country, the person who planned the bombing that killed 241 marines walks the streets of Lebanon, and nothing has been done.

□ 1545

If I thought that perhaps this amendment could maybe have one opportunity whereby we would miss somebody like that, I could not live with myself.

So the gentleman may be right, but the gentleman may be wrong. Let us defeat this amendment and allow the authorizers to deal with it and have a full, fair debate after the hearings.

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

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

Mr. SANDERS. Mr. Chairman, before I yield, I would remind my friend, as I am sure he already knows, that we have exempted computers that he referred to in several instances from the amendment.

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

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

Ms. HARMAN. Mr. Chairman, I thank the sponsor of the amendment for yielding me this time, and I also appreciate the comments of the chairman in the debate that just preceded this.

Mr. Chairman, in past years, I have opposed the Sanders amendment on two grounds. First, I felt the appropriate time to revise the PATRIOT Act was this year, because key provisions are sunsetting this year. Second, as ranking member on the Permanent Select Committee on Intelligence, I know, as the gentleman from Virginia (Chairman WOLF) also knows, that terrorists use Internet sites to communicate, and believe law enforcement needs to access terrorist traffic on these sites.

This year, the amendment's sponsors have eliminated reference to library Internet sites, and their amendment arises as Congress undertakes a serious review of the PATRIOT Act. Because the amendment has been altered and the timing is right, I am pleased to support it.

Law enforcement must have the ability to prevent and disrupt terrorist plots on our soil, but this is a sensible amendment for the following reasons: first, section 215, as currently written, is unnecessarily broad. It permits the government to obtain ''any tangible thing'' as long as it is ''sought for'' a terrorist investigation. This is a sweeping power which even the Justice Department agrees can be cut back.

I believe Congress should modify section 215 to require that the government show that the items sought belong to or would lead the government to an agent of a foreign power, the traditional FISA standard.

Second, I see no evidence that seizing someone's documentary library or bookstore records is needed to combat terrorism. The Justice Department has never sought a 215 order to obtain library records. In the rare case that a law enforcement official believes access to these records is necessary, other remedies exist. The PATRIOT Act eliminated, and I supported, the so-called ''wall'' between criminal and intelligence investigations, thus allowing criminal subpoenas or warrants to be secured more easily.

And third, as mentioned, this amendment, wisely, would not preclude law enforcement from obtaining library Internet records.

Mr. Chairman, Congress has an opportunity, indeed, an obligation to modify some of the authorities of the PATRIOT Act that went too far in eroding our civil liberties. This amendment signals our intention to do so, and I urge its adoption.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Chairman, I thank the chairman for yielding me this time. I say to my friend from the Green Mountains, he and I have different political philosophies, and my friend from Vermont and I are light years apart; but he will recall I vote with him every now and then, but I think he is wrong on this one.

The subcommittee on which I sit, the Subcommittee on Crime, Terrorism, and Homeland Security of the Committee on the Judiciary, we have conducted nine oversight hearings, Mr. Chairman; and although I am not sure the public at large is aware of this, section 215 now before us, the so-called ''library provision,'' does not even mention the word ''library.'' It covers business records. And, yes, section 215 could be used to obtain business records from a library. But we also know that from the Attorney General's oral testimony to our committee on April 6 section 215 has never been used to obtain business records from a library, nor has section 215 been used to obtain bookstore records, medical records, or gun sale records.

In fact, Mr. Chairman, no evidence has been presented to this committee, or to the Department of Justice's Inspector General, of any abuse of section 215 for any use. We also know that the Department of Justice's response to questions from our committee that terrorists are indeed using our libraries; so at some point, section 215 may well be needed there, as the distinguished gentleman from Virginia just said earlier.

In conclusion, Mr. Chairman, I want to go on record: some of my best friends are librarians, so I am in no way advocating turning the dogs loose on libraries. That is not the intent at all. I think section 215 has served us well. I do not think it has been abused.

Mr. SANDERS. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. PAUL).

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

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

Mr. Chairman, I rise in strong support of this amendment. I do not see any necessity for the amendment. It was put in in the period of time after 9/11 where a lot of people were very frightened; and I think, quite frankly, that we as a Congress overreacted.

I just do not understand how anybody would feel safer by the government being able to get a list of books that the American people read. Now, if there is a special condition that exists where they want to know about a particular individual, nothing precludes a legitimate search warrant to find out exactly what this information is about. But I just think that it is totally unnecessary to have this.

This morning, the gentleman from Vermont was on C–SPAN; and after he left the studio, a woman called in that I found very fascinating. She was from Russia and she talked about how things were started in Russia and how the police had an ability to come into their homes without search warrants. Then she said her family had an exposure in Germany and the same thing happened. It was unrestrained government's ability to come in and know what people were doing. She spoke about this in generalities; and she was, in an alarmist sense, she was saying, and right now, in America, that is what we are doing with the PATRIOT Act, and she talked about it in general.

I might not be an alarmist about it, but I am very concerned. I do think we have moved in the wrong direction and that we should be very cautious and protect the privacy of all American citizens.

Mr. WOLF. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN), a former attorney general of the State of California.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, let us understand the context in which we are discussing this. This is post-9/11. This is after we have lost 3,000 people. This is after we understood that we had set up inappropriate barriers so that we could look at intelligence information, so that it could give us a forewarning of what might be out there.

There are those who have gotten up here and said, look, there are other

techniques that can be used, a grand jury subpoena, a search warrant. Yes, but that requires the actuality of some proof of a crime at the time.

That is not what we are talking about here. What we are talking about here is the distinction between criminal investigations, in which law enforcement uses search warrants and grand jury subpoenas, and foreign intelligence investigations, in which law enforcement uses section 215 under the Foreign Intelligence Surveillance Act to request business records.

This amendment would surely restrict intelligence investigations designed to protect against international terrorism and clandestine intelligence activities. These activities do not always appear beforehand to be a crime.

For instance, it was not a crime for the members of al Qaeda to learn to fly airplanes in the U.S. However, if a member of al Qaeda goes into the library and checks out books on the tallest buildings in New York and a book on how to fly a plane, it could be relevant to an international terrorism case under FISA before you have proof of a crime. That is what we are talking about here. You have to go before the FISA court. You have to show that it is related to international terrorism. You just cannot go willy-nilly in and ask for any sort of document that you want.

Also, the Justice Department has looked at this amendment and believes that, in fact, despite the gentleman's efforts to try and eliminate coverage of computers, they believe that the Sanders amendment would cover sign-in sheets, including those using sign-in sheets to use the computer, so that it would not allow this investigative tool to be utilized in intelligence investigations.

Let us understand what we are talking about: intelligence investigations for international espionage. We are not talking about regular crimes. That is why there is a distinction. You are going to prohibit us from utilizing this tool, and there is no example, there is no evidence of abuse.

We have had 12 hearings on this. We have looked at it. In fact, as the law requires right now, the Department has to report to us on a regular basis on these sorts of things. We examine these things. I just ask why you would resolve doubt in favor of compromising our ability to go into intelligence that could lead to the uncovering of a terrorist plot.

We do not have all the lead time when we are talking about these things. That is why there is a distinction in the law carefully built in. That is why we have a separate FISA court. That is why we have judges who have expertise on this. That is why we require the oversight by the Committee on the Judiciary. We have built in these particular protections.

I would just say, rather than present this type of response to legitimate concerns people have about privacy, examine the law as it currently exists, examine the purpose, and understand the difference between a criminal investigation and an intelligence investigation, and why we have this different procedure.

Yes, it is unique, because we have unique circumstances presented to us. We have learned from our errors in the past where we did not have unique circumstances that allowed us to do these sorts of things. That is all we have done here. We are in a new world. We are trying to deal with that world in an effective way without compromising our privacy. And when on the record there is absolutely no evidence, not one modicum of evidence that there has been an abuse by the Justice Department, why we would take this action now, I just do not understand.

So I would ask Members of this body to please defeat this amendment.

Mr. SANDERS. Mr. Chairman, I am happy to yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, the PATRIOT Act, as it stands, forces or could force users to self-censor their own reading choices, just on fear alone. Mr. Chairman, censorship is not what America is about.

Under the PATRIOT Act, the FBI can go after your library or your book-purchasing records; and librarians or book sellers, under the penalty of law, cannot inform patrons of the library or the bookstore that it is under investigation or that a patron's records have been searched.

That is why, Mr. Chairman, I rise in support of the Sanders Freedom to Read amendment. America's right to read and purchase books without fear of government monitoring has been erased by the PATRIOT Act, and Congress must repeal this unconstitutional provision.

In fact, the ultimate success for terrorists is to change our country by taking away our rights and our liberties.

Mr. WOLF. Mr. Chairman, how much time do both sides have remaining?

The CHAIRMAN. The gentleman from Virginia has 8 minutes remaining, and the gentleman from Vermont has 11½ minutes remaining.

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

Mr. SANDERS. Mr. Chairman, I am happy to yield 1 minute to the gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. Mr. Chairman, I rise in strong support of the Sanders amendment, and I thank the gentleman from Vermont for his leadership in protecting our Constitution and our civil liberties. I also commend the gentleman from Michigan (Mr. CONYERS) for his important work in that regard and, of course, the distinguished chairman of the full committee. Again, the gentleman from Virginia (Mr. WOLF), my compliments, and the gentleman from West Virginia (Mr. MOLLOHAN) as well.

□ 1600

But I am rising in support of Mr. SANDERS' amendment. The amendment reaffirms the fundamental principle of our history, our Constitution, and our jurisprudence that our civil liberties that must be protected, that any intrusion must be narrowly tailored and contain strong safeguards, and finally, that the executive branch must be accountable through vigorous congressional and judicial oversight.

In his famous dissent in the Olmstead decision in 1928, Supreme Court Justice Louis Brandeis called the right to privacy ''the right to be left alone, the most comprehensive of rights and the right most valued by civilized men.'' As he wrote: ''The makers of our Constitution sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. To protect that right, every unjustifiable intrusion by the Government upon the privacy of the individual, whatever the means employed, must be deemed a violation of the fourth amendment.''

Against these deeply embedded values that underlie our Constitution, the President has called for Congress not only to extend and again rubber-stamp all of the expiring provisions of the PATRIOT Act, but also to provide the FBI with additional and unprecedented powers to seize American citizens' records without the approval of a judge or grand jury.

The 9/11 Commission, however, last year recommended a full and informed debate on the PATRIOT Act, and placed the burden of proof on the President for extending the PATRIOT Act's provisions by demonstrating that they are actually needed, and that there is adequate oversight to ensure protection of civil liberties. These conditions have not been met.

Instead of a full and informed debate, we witnessed all kinds of other intrusions into the privacy of the American people and silencing of voices in our country.

When Congress voted for the PATRIOT Act, Members clearly understood that it would be accompanied by a strong congressional oversight so that the implementation would not violate our civil liberties. That oversight has not occurred effectively.

The Attorney General has admitted that the information has not been forthcoming to the Congress in a timely manner. But for the sunset provisions and the requirements for the inspector general reports, there is little doubt that Congress would not even receive the insufficient information it has received to date.

Section 215 of the PATRIOT Act permits the government to obtain library and bookstore records without any showing of specific facts that particular individuals are involved with a foreign power or with terrorism. The only requirement is a statement by the FBI that the records are sought for an authorized investigation, and the judges have no authority to deny the application.

As written, the statute would permit records of innocent and unsuspecting American citizens to be caught up in dragnets and fishing expeditions without notification. Finally, the statute has a gag provision that prohibits the recordholder from talking about the searches, thereby preventing the public from any information that the government is abusing these powers.

By itself, section 215 is problematic, and it is sweeping, but this provision and others are even more problematic when measured by the policy of the Bush administration which point to an absence of safeguards. These include the seizure and detention of more than 1,000 noncitizens in the United States without providing them access to counsel.

In particular, increased surveillance of political and other groups was made possible by the decision of the Attorney General, Attorney General Ashcroft, in July 2002 to effectively end what are known as the Levi guidelines. These guidelines were written in response to constitutional violations committed by the Nixon administration. The Levi guidelines prevented the FBI from monitoring political and religious activity in the absence of specific and articulable facts justifying a criminal investigation. Attorney Ashcroft, however, effectively ended these guidelines and permitted the FBI to monitor political and religious activities without the ''special care'' and supervision that the Levi guidelines required. And we saw the results of that policy: According to the New York Times, in November 2003, the FBI collected information on antiwar demonstrators.

Proponents and the Justice Department claim that section 215 will not be used solely on the basis of citizens' exercise of the first amendment, but can we be assured of that, given the effective revocation of the Levi guidelines and the reported monitoring of political groups, and the fact that section 215 does not require specific and articulable facts? Where are the safeguards?

Oversight, at least by this Republican Congress, has not worked. It is against that backdrop that we consider this amendment today. It is essential that we pass this amendment to let the world know that we will protect and defend this Nation, and, as we do so, that we will protect and defend the Constitution and the civil liberties contained therein. The amendment would not preclude law enforcement from obtaining the records of individuals that they need upon a showing of probable cause through their other authorities.

What we choose to read and the books we buy goes to the heart of our innermost thoughts and our liberty in a free society. These rights must be defended.

As we look to the future, rather than giving further unchecked powers without proper justification and safeguards, Congress should look at the measures to restore the Federal judiciary's role to make sure that law enforcement agencies do not conduct broad and indiscriminate searches.

We should not simply extend all of these provisions, but we should have extensive hearings on the PATRIOT Act, vigorous oversight and modifications to prevent abuses of our civil liberties.

Unfortunately, these essential objectives are not being met by the Republican leadership. Instead, they have sought to silence those who seek to protect our civil liberties and to protect and defend our Constitution.

We can and we must keep the American people safe without threatening their civil liberties. Our Founding Fathers knew well the balance between freedom and liberty. Let us honor their legacy and vote for the Sanders amendment.

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

Mr. WOLF. Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. FEENEY).

Mr. FEENEY. Mr. Chairman, there are two things that we can say conclusively since the enactment of the PATRIOT Act. Number one, there has not been another 9/11 attack, thanks in part to the PATRIOT Act and other tools that we have given the law enforcement community here in the United States.

And number two, there has been a great deal of hysteria generated around the words ''PATRIOT Act.'' Very little of the actual complaints can ever be pointed to with respect to anything that the PATRIOT Act did, but there is enormous amount of hysteria. For example, the very name of this amendment, the Freedom to Read Act, implies that somehow there is something anywhere in the PATRIOT Act that denies us the freedom to read anything we want. Of course the PATRIOT Act does not do any such thing.

We have heard here today that we need to have some showing of probable cause to protect American citizens' privacy. Well, I need to tell you that probable cause is a fine standard after a crime has been committed. The people that believe probable cause is the appropriate thing to demonstrate would have us wait until the next 9/11 attack until we can take efforts and steps to defend ourselves. That does not work when you are dealing with terrorism.

Folks, the next 9/11-type attack may not be a plane full of citizens. It may be full of biological or chemical or nuclear weapons. And 3,000 deaths may pale in comparison to the devastation that could be heaped upon American metropolitan areas in the next attack.

The 215 provisions are very important to understand. They require a Federal judge, a FISA court to make a determination that, number one, there is a national security investigation already under way about somebody other than an American citizen, this cannot be used against American citizens; and number two, you have to demonstrate that the entire purpose of the 215 subpoena is based on international terrorism or clandestine intelligence activities. This cannot be used to fight the traditional crimes that most Americans may be concerned about with respect to their liberties and freedoms. We want, and we are protecting, those freedoms.

By the way, President Bush's White House, the OMB, has suggested that if there is any effort to undermine their number one priority as our administration, and that is to protect the safety of Americans, they intend to veto this entire appropriations bill.

Listen, if there are terrorists in libraries studying how to fly planes; if they are studying how to put together biological weapons; if they are studying how to put together chemical weapons, nuclear weapons; if they are studying how nuclear power plants in America, how the architecture and design is structured so that they can cause a devastating attack, we have to have an avenue through the Federal court system, the FISA intelligence courts, that we can stop the attacks before it occurs. Treating it as a crime and waiting until after we have hundreds of thousands of deaths is an inappropriate way to fight terrorism. It works in crime. It does not work for the next terrorism disaster, and that is what the proponents of this amendment are asking for.

215 allows the FBI to request a judicial order. This has to go through a judge. Over and over we hear that we are going to somehow be snooped upon by Federal agents without some sort of due process. Well, a Federal judge is involved at the very outset. It has never been used in a library.

What this amendment seeks to do is to build a sanctuary where every terrorist will know in perpetuity that they will be safe to read, to plan, to do whatever they need to do as long as they do it in a library. It creates a sanctuary that every terrorist will know will protect him or her as they create their evil plots to do awful harm and devastation in the United States of America. That is at all does.

We know there are incidents of the terrorists using our libraries. And yes, so far they have primarily involved use of the Internet. But we also know that terrorists used American flight schools. We also know that terrorists are interested in biological, chemical and nuclear capabilities, and I believe it is appropriate that our law enforcement agents, after the proper showing in Federal court, can get these records and prevent the next attack, not react after we lose hundreds of thousands of lives.

Mr. SANDERS. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I want to thank the gentleman from Vermont (Mr. SANDERS) for the time and also for

his leadership on this very important issue.

I rise in strong support of this amendment to repeal section 215 of the PATRIOT Act and to restore the freedom to read, and that is what this is about.

Millions of Americans, including my constituents, are especially incensed with section 215 of the PATRIOT Act. Under this provision the FBI has the power to search for any tangible things, including books, records, papers, documents and other items, in any location after showing minimal justification.

Across this Nation, local governments representing more than 52 million people have denounced the entire PATRIOT Act and the unconstitutional invasion of privacy it represents. The PATRIOT Act was hastily drafted and is far overreaching. It is contrary to the fundamental principles for which we stand, and section 215 is especially chilling.

Families should not be afraid to check out children's books for fear that they may be investigated for collaborating with terrorists. Section 215 is un-American. This is not the way to combat terrorism.

Mr. WOLF. Mr. Chairman, I have 4 minutes remaining if my arithmetic is still good. And I have two more speakers, plus I am going to close in 30 seconds. How much does the other side have?

The CHAIRMAN. Does the gentleman reserve his time?

Mr. WOLF. Mr. Chairman, I reserve my time.

The CHAIRMAN. Nine and one-half minutes remaining for the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I am pleased to yield 1½ minutes to the gentleman from Idaho (Mr. OTTER), one of the real fighters for civil liberties in this Congress.

Mr. OTTER. Mr. Chairman, I thank the gentleman from Vermont for his leadership on this issue and his tenacity in continuing to, every year, fight for the rights of people in the United States to enjoy their local libraries.

I was interested in listening to the frustrations of one of the previous speakers on this side of the aisle, and it is obviously the utterances of a former Attorney General for the government who was frustrated by the Constitution. And this is precisely what the Founding Fathers intended. They did not intend for the lawyers to run this country. And obviously, when we adopted the PATRIOT Act 46 days after 9/11, the lawyers won. And not only that, but the government won.

I just want to point out one thing to everybody here. As you heard some utterances on this side relative to the need of 215, I want to remind you that no comment was ever made that the way things happen in section 215 was legal before for the government before the PATRIOT Act passed. All they did was just changed one or two major words in that whole thing.

□ 1615

Let me share those words with my colleagues, from ''may'' to ''shall.'' Did my colleagues hear the speaker before me talk about how the judge on the question of section 215 is involved? Involved.

I will tell my colleagues what it is like is the ham and egg breakfast: the pig's committed; the chicken is just involved. I suspect that is where this whole bill belongs, back on the farm.

The freedom to read what we want—it may not be the first thing that comes to mind when we talk about those basic, unalienable rights for which generations of American heroes have fought and died.

The idea of a government controlling what we read is the stuff of history books and horror stories about tyrants and dictators. It is not something we expect to face here in America—the Land of the Free.

That was before the passage of the USA PATRIOT Act. Section 215 of that law has given Americans reason to wonder whether the government might be looking over their shoulders when they check out books and materials from their local library. It has dangerously undermined the people's confidence in their government and threatens the precious freedoms we enjoy under the first amendment.

That is why I support this amendment today. I fully recognize the need to provide our law enforcement officers with the tools necessary to combat terrorism and keep Americans safe. However, security bought at the price of the freedoms on which our Nation was founded is no real security at all.

Certain parts of the PATRIOT Act, including section 215, may have seemed understandable in the short term, but they are intolerable over time. We need to set things right before our precious constitutional rights are eroded beyond recognition.

We sacrifice something much more dear than our physical safety when we fail to be diligent in defending our freedoms. Once lost, they seldom, if ever, are regained.

And whether the tyranny that robs me of my liberties comes from abroad or starts here at home makes no difference: It is equally unwelcome. I am just as committed to protecting Americans from their own government's excesses as from the violence of foreign extremists.

The degree to which that commitment has captured America's imagination and has found growing support here among my colleagues is one of the most gratifying experiences in my public life. A vote for this amendment is a vote to restore America's confidence in the ability of Congress to protect the freedoms they hold dear.

Mr. SANDERS. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I thank the gentleman for the time.

I feel a certain irony that we are having this debate today in the aftermath of the final disclosure of the identity of Deep Throat who was part of an effort in the Federal Government to cover up illegal acts at the highest level of American government; and, in fact, Deep Throat was the number two member of the FBI caught up in the internal swirl of politics.

I would suggest that 9/11 was not so much a failure of secret access to our library records and to bookstores; but it was the fact that the FBI did not know how to talk to itself, how to listen to people who actually had information.

We do not need to extend this reach. We have tools available. The problem that we have seen over and over again is that the Federal Government has, in fact, abused the rights of American citizens, including in the FBI.

I would suggest that rather than drag our bookstores and our libraries into this ill-considered issue, that we would be far better off to approve the Sanders amendment, which is a small step towards sanity in this regard.

Mr. SANDERS. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, the PATRIOT Act allows Federal agents to look at public and university library, patron circulation records, books checked out, magazines consulted, all subject to government scrutiny.

There used to be a time in this country when we were worried whether our young people knew how to read. Now some in our government are more worried that government agents be able to find out what people are reading.

This section that the Sanders amendment addresses gives the FBI the power to search for any tangible thing, books, records, papers, documents and other items, in a location without having to show probable cause. The Sanders amendment would restore legal standards and warrant procedures for investigations of libraries and bookstores which were in place before the passage of the PATRIOT Act.

It is time for us to remember where we come from as a Nation. This very Chamber we are standing in is dedicated to liberty, to freedom. The things we see carved in stone and wood in this place are all about freedom. Why do we not remember where we come from? Where we come from is a Nation with a heritage of standing up for basic civil liberties, for the first amendment, the right to assemble, the right to free speech; and I say it is time to address it with the Sanders amendment.

Mr. SANDERS. Mr. Chairman, can I inquire as to how much time remains on both sides.

The CHAIRMAN. The gentleman from Vermont (Mr. SANDERS) has 6 minutes remaining. The gentleman from Virginia (Mr. WOLF) has 4 minutes remaining.

Mr. SANDERS. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I thank the gentleman from Vermont (Mr. SANDERS) for the time.

Mr. Chairman, Pericles, a 5th century B.C. Athenian statesman, once said that ''freedom is the sure possession of those alone who have the courage to defend it.'' I rise today in support of this amendment and to speak on behalf of freedom.

Librarians, booksellers, and everyday Americans across the country are deeply concerned about the chilling effect of section 215 of the PATRIOT Act, which clearly encourages individuals to self-censor their reading sources.

USA Today in June of 2004 reported that an FBI agent actually went to a Washington State library branch and requested a list of people who had borrowed a biography of Osama bin Laden. The librarian refused and informed the agent that he would have to go through legal channels before the names could be released. The FBI then served a subpoena to the library a week later demanding a list of everyone who had borrowed the book since November of 2001.

With government having the ability to easily obtain records of books that everyday Americans, our constituents, are borrowing, all of us forfeit the freedom to learn more.

Section 215 of the PATRIOT Act clearly gives the Federal Government an unwarranted amount of power. There must be a higher standard of suspicion to justify this invasion of privacy.

This amendment only applies to the records that contain information about the books and reading materials that are checked out of the library or purchased from a bookstore.

It is important to note that prior to September 11, law enforcement was able to arrest Ted Kaczynski, the Unibomber, via his library records. The authority already existed in law without the secrecy and overreach of section 215.

The adage ''keep your friends close and your enemies closer'' can be upheld via the freedom to obtain knowledge about those who wish to do us harm.

I urge my colleagues' support.

Mr. SANDERS. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Chairman, I rise in support of the Sanders amendment, and this is after I opposed it last year; but I learned two things since that vote that caused me to change my position.

First of all, as has been emphasized by the opponent of this amendment, section 215 has not yet been used by the Justice Department. We hear that if we eliminate this provision, it will somehow jeopardize our entire country and that we have been able to hold off the terrorists for 4 years because of the PATRIOT Act. Yet they acknowledge at the same time that section 215 has not even been used. So, obviously, it is not critical to that effort.

The second reason is the reason this is very important. There is no clear standard for when it can be used. If a person goes to a judge and gets a subpoena by some standard, probable cause or some other standard, then that makes sense. That is in fitting with the Constitution. The problem with section 215 is that you go to the Foreign Intelligence Services Act court and seek that warrant. It is a secret court.

We do not know what the standard is. There should and must be a clear standard before the Justice Department can seek this kind of information from our citizens. If that clear standard were put in law, that could change things; but there is no standard here, and this law has not been used. So it is not critical, and it can potentially be abused. So let us eliminate that potential and support the Sanders amendment.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman for the time.

In response to the gentleman from Washington, the PATRIOT Act under 215 has been used. It has been used 35 times. There have been 35 specific reports that have been presented to Congress. It has just not been used in libraries.

This amendment is worse than previous law before the PATRIOT Act was passed because this creates a sanctuary and the sanctuary is listed in the Sanders amendment. It says library circulation records, library patron lists, book sales records, or book customer lists. That will be the place where we cannot investigate an international terrorist investigation.

It establishes a sanctuary when there has not been a single case of abuse, not a single individual that can be named. We have had 12 to 13 hearings. I have asked for those records to be presented to our Committee on the Judiciary. The request has been made by the gentleman from Wisconsin (Chairman SENSENBRENNER) as well. We have zero records that have been offered, not a single name of an individual that has been abused.

I would ask my colleagues, inform your constituents. Do not be concerned about the fear, about the phobia of this abuse of civil liberties, but send the message to your constituents that this has been properly used. A report comes back to Congress. If there is an abuse, we will deal with it. So we want to know about that abuse.

Mr. WOLF. Mr. Chairman, how much time does each side have? I have the right to close; is that right, Mr. Chairman?

The CHAIRMAN. The gentleman from Virginia (Mr. WOLF) has 3 minutes remaining and the right to close. The gentleman from Vermont (Mr. SANDERS) has 4 minutes remaining.

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

Mrs. MALONEY. Mr. Chairman, I thank the gentleman for his leadership on this amendment. It is an incredibly important one, and I rise in strong support of the Freedom to Read amendment which will restore the privacy that our constituents expect and deserve.

We all agree that combating terrorism is the number one priority, but it should not be done at the expense of the fundamental rights guaranteed by our Constitution.

Many organizations support this, the librarians, the booksellers, the publishers, many, many organizations, but very importantly, my constituents. My constituents tell me that they feel that they cannot go to the library anymore without feeling that the government is looking over their shoulder.

So I ask my colleagues, what in the world do we gain if we deny basic privacy rights to Americans in our efforts to combat terrorism?

This is a balanced amendment. Section 215 is far too broad, and it has appropriate exemptions. It is an important amendment. I urge bipartisan support for civil liberties, for privacy. Support the Sanders amendment.

Mr. WOLF. Mr. Chairman, I reserve my time.

Mr. SANDERS. Can I ask my friend how many speakers he has left.

Mr. WOLF. Mr. Chairman, I have two speakers. The gentleman from Connecticut (Mr. SHAYS) will have 2 minutes, and I will have 1 minute. If my math is right, we do have 3 minutes; is that correct?

The CHAIRMAN. That is correct.

Mr. SANDERS. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. NADLER).

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

Mr. Chairman, I rise to support this amendment. What is the difference that this amendment will make? The difference is between good police work and fishing expeditions.

This amendment is designed to say you can read without being afraid the government will someday reveal what you are reading. We do not want the chilling effect on free speech. If there is a real reason the government needs this information, that the government suspects someone is looking up how to make atomic bombs, then let the FBI go to a court and get a search warrant or show probable cause and get a subpoena. That is the American way. That is the way we have always done it.

The gentleman from Virginia says, well, we had an attack on 9/11. Indeed, we did. In my district, 3,000 people were killed; and he says, maybe, who knows, this power could be used to stop a future event. But we can say that about anything.

Ours is a government of limited powers. That is what distinguishes us from the Soviet Union or Communist China or any other tyranny; and those powers must be limited so as to protect liberty, even in the face of threats.

The gentleman says no instance of abuse has been shown. Well, sure, because all of this is secret. No instance of abuse can be shown.

Mr. Chairman, the point of this amendment is that we need not surrender fundamental liberty to protect ourselves from terrorism, and we

should not; and this is why we should adopt this amendment. We can have our protection. We must have our protection. We must also have our liberty.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, the Cold War is over, and the world is a more dangerous place. It cannot be contain and react. It has to be replaced by detect and prevent. We want to prevent a crime. There is a serious problem of chemical, biological, radiological, nuclear or even a serious conventional attack. You all seem to want to wait until the crime is committed and then you can use your criminal law to get at it. We want to detect and prevent it.

I have never felt more outraged in my heart as I listen to this debate in 19 years. Do we not get it?

The issue with the Unabomber is he committed the crime. I say to the gentlewoman from Florida, so we should wait till after he commits the crime, then we can go into a library? I want to get the information before. I want to know what that Unabomber knew, that treatise he knew in that library in Montana which we got an act for.

I like this law better than the criminal law because you have got to go to a court and the court has to keep the record. You want to just say, in my judgment, that we will have a grand jury, and as soon as you have a grand jury, the prosecutor almost at will can get this information. He does not have to go to a court.

You are trying to give the impression that civil liberties are in jeopardy. I say under this law they are protected, and then I say something else. Public safety under this law is protected.

□ 1630

I find it amazing that we want a free zone in a bookstore. I find it amazing we want a free zone in a library. I find it amazing that librarians would allow someone to come in for a crime, but for a clandestine operation that might blow up New York City? Nope, do not go there.

Mr. SANDERS. Mr. Chairman, how much time remains on both sides?

The CHAIRMAN. The gentleman from Vermont (Mr. SANDERS) has 1½ minutes remaining, and the gentleman from Virginia (Mr. WOLF) has 1 remaining and the right to close.

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

This amendment is supported by the American Library Association, the American Booksellers Association. Seven States in America, Democrat and Republican legislatures, have gone on record expressing serious concerns about the PATRIOT Act. And hundreds of thousands of Americans, hundreds of thousands, have written Members of Congress about this issue.

Mr. Chairman, all of us and all Americans grieve the horror of 9/11 and the deaths of thousands of our fellow citizens. And every Member of this Congress is on record pledged to do everything he or she can to defend the American people from another terrorist attack. We have spent tens of billions of dollars, and we are prepared to spend more. But, Mr. Chairman, the reason that conservatives and progressives and people in between have come together is that we understand that what we are talking about is freedom; is liberty; that we can fight terrorism, we can defeat terrorism, we can protect the American people without undermining the constitutional rights that men and women have fought for, have died for, and that made us the greatest country on Earth.

Let us go forward defeating terrorism, but let us do it in a way that makes us all proud, that protects the greatest document ever written, the American Constitution. And that is what this amendment is about.

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

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

Mr. Chairman, Hamas and Hezbollah and al Qaeda are opposed to liberty.

The gentleman was wrong last year, because he has changed his amendment from that. So he was wrong last year, so maybe he is wrong this year.

We are at war, as the gentleman from Connecticut (Mr. SHAYS) said. Go to the Pentagon and look at the monument, go to the World Trade Center. Two of my children live in the district of the gentleman from New York (Mr. NADLER), and I know that gentleman does not speak for them on this issue.

When in doubt, do no harm. Be careful. The Justice Department made a mistake on the Moussaoui. They did not look at what was in his computer, and as a result of that mistake, we have paid a tremendous price. And if we make a mistake here, we may pay another tremendous price.

Please, vote ''no'' on the Sanders amendment and let the Committee on the Judiciary deal with this.

Mr. UDALL of New Mexico. Mr. Chairman, I rise today in strong support of this amendment, which I am proud to cosponsor, and which would help restore the privacy and First Amendment rights of library and bookstore patrons.

On the day that the PATRIOT Act passed this body, few Americans were aware of some of the harmful provisions contained within it. Over the course of the past few years, however, our constituents have learned about some of its harmful provisions, and they are justifiably concerned. Over 365 cities, towns, and counties in 43 States have passed resolutions expressing concern about the PATRIOT Act or an extension of it. In my home State of New Mexico alone, ten cities and four counties have passed resolutions.

Section 215 granted authorities unprecedented powers to search, or order the search of library and bookstore records without probable cause or the need for search warrants. Because these surveillance powers were cast so broadly and the law prohibits them from revealing to the subject that an investigation is occurring, librarians, storeowners and operators are left in an impossible position. As a former State attorney general, I fully understand the need, and support swift justice for criminals and terrorists. Every member of this body does. But I also believe that we can be both safe and free.

This common sense amendment before us would prohibit the expenditure of funds for the implementation of these questionable searches. It would protect our citizens' rights to read, learn and purchase books without undue government influence. At the same time, it would maintain established formal procedures that allow law enforcement agencies to obtain warrants and receive records from libraries and bookstores for terrorist-related or criminal investigations. And it is important to note that this amendment does not exclude funding for library internet records.

The opponents of this amendment argue that those of us who are concerned about it are making up far-fetched scenarios to drum up opposition. But it doesn't take fiction to do that. Take this example: When a patron at a public library in Whatcom County, Washington discovered a handwritten note quoting Osama bin Laden in the margin of a biography of Osama bin Laden, the patron contacted the FBI. Citing powers given by the PATRIOT Act, the FBI confiscated the original book and served the library with a grand jury subpoena, and demanded the names and addresses of everyone who had checked out the book. The library refused, filing a motion to deny the subpoena. The FBI withdrew, but reserved the right to issue the subpoena in the future. If the library had told anyone that they had been subpoenaed, they would have been violating the PATRIOT Act's gag order.

Our concerns are not make believe. Our founders understood the value of open access to knowledge. I think we would all agree that one of the measures of a great democracy is the ability of ordinary citizens to explore ideas without government interference. I believe that this amendment is a positive step towards restoring some of our personal freedoms.

Mr. Chairman, I strongly urge you to allow a full and fair vote on this amendment. My colleagues will recall that during a vote on this same amendment during consideration of the fiscal year 2005 CJS Appropriations bill, the majority held open the vote on the Sanders amendment twice as long as scheduled to ensure its demise. This, despite the strong and audible support of Americans to pass this common sense amendment.

I thank my colleague from Vermont for offering this important amendment, as well as the amendment's other cosponsors, and I urge my colleagues to support its passage.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

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

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

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS) will be postponed.

AMENDMENT NO. 28 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 28 offered by Mr. KING of Iowa:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. (a) For expenses necessary for enforcing subsections (a) and (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), $1,000,000.

(b) The amount otherwise provided in this Act for ''DEPARTMENT OF JUSTICE—LEGAL ACTIVITIES—SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES'' is hereby reduced by $1,000,000.

The CHAIRMAN. Pursuant to the order of the House of June 14, 2005, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume, and I first want to say that I appreciate the opportunity to bring this amendment forward. I want to thank the gentleman from Virginia (Mr. WOLF) for his extraordinary work on this entire bill. I want to remark that his persistence here on the floor yesterday, today, and quite likely tomorrow has been a long marathon, and he has maintained his composure, his intellect, and his judgment.

I bring before the Congress, Mr. Chairman, an amendment that seeks to upgrade this good appropriations bill that we have on Justice, and it recognizes that there is a Federal law today that prohibits sanctuary policies. Presently many cities have been enacting sanctuary policies which prohibit local police from asking about a person's immigration status or reporting illegal aliens who commit crimes to immigration authorities for deportation.

The law I am referring to was passed in 1996, and it is called the Illegal Immigration Reform and Immigration Responsibility Act. It forbids localities from preventing their police officers from asking or reporting immigration information to the Federal Government. The existing Federal law says, and I quote, ''Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit or in any way restrict any government entity or official from sending to or receiving information regarding the citizenship or immigration status, lawful or unlawful, of any individual.''

Now, Mr. Chairman, despite this ban, some cities continue to prohibit their officers from asking about immigration status or providing information to the Federal Government. Make no mistake, this is a situation of local governments blatantly violating Federal law. As a result, U.S. taxpayers pay to incarcerate illegal alien prisoners who are later released back onto the streets.

Sanctuary policies tie the hands of local law enforcement officers and keep illegal aliens who commit crimes in our country from being deported according to U.S. law. These sanctuary policies have disastrous consequences. A case in point, a tragic case in point, was the issue regarding a Denver police officer, Donnie Young, who was assassinated in cold blood about a month ago. The suspect in the case, Raul Garcia-Gomez, was an illegal alien, who has since fled to Mexico. He has since then actually been arrested in Mexico.

But Denver has an illegal alien sanctuary policy, and it is based upon the mayor's executive order. The current mayor, by the way, is a successor mayor to the executive order, but it is still his executive order, and he could rescind that executive order. The mayor happened to also own at least a part interest in the restaurant where this illegal alien worked. They had gotten a letter from the Social Security Administration saying that this Social Security number you sent on this individual does not match the individual.

But the individual continued working at the restaurant. He had sanctuary there. He was picked up three times on the streets of Denver. He offered no driver's license one time, a Mexican driver's license at least one other time, and no insurance card on another occasion. Each time he was allowed to drive away. There were at least four different opportunities for that community to enforce the laws and take action against this illegal alien, and each time he has been shielded by the sanctuary policy that is a direct violation of Federal law.

Last month we passed an amendment that will provide the necessary resources and training to State and local governments so that they will be more willing and better prepared to work with the Federal Government and to protect our Nation's citizens. Even with the proper training, though, law enforcement officials cannot help in this area if they are forbidden from doing so.

My amendment today would provide funding for the Department of Justice to enforce the law as it presently exists. It does not enact any new law. It does not promote a new policy. I want to repeat, it simply provides funding to see that our current law is enforced.

Our State and local governments serve as the front line of defense against terrorism and criminal aliens. Every murder, every rape, every violent gang crime committed against Americans by illegal aliens is an utterly preventable crime. If we better enforce our immigration laws to keep criminals out, we will save lives. We must use the law enforcement resources that we have to enforce our laws, with the end result of making our Nation a safer place for our children and grandchildren to grow up in.

This amendment simply directs $1 million of the $600-and-several million in this appropriations process to that enforcement of the existing Federal law. It is an issue that we raised last year as well. It is an issue I know the Chairman is very much concerned about.

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

The CHAIRMAN. Does any Member wish to claim time in opposition?

If not, the question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. NADLER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. NADLER:

Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SECTION 801. None of the funds made available in this Act may be used to issue a national security letter, for health insurance records, under any of the provisions of law amended by section 505 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001.

The CHAIRMAN. Pursuant to the order of the House of June 14, 2005, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 7½ minutes.

The Chair recognizes the gentleman from New York (Mr. NADLER).

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

Mr. Chairman, my amendment prohibits funds from being used to issue national security letters to health insurance companies under the provisions of section 505 of the PATRIOT Act.

Currently, any FBI field office director is authorized to issue secret national security letters to insurance providers without any judicial approval, not even a FISA court. These NSLs open the door to a secret seizure of highly personal medical information. The FBI, if this amendment passes, will still be able to get all these records because they have so many other tools available to them, which I will describe in a moment.

Almost limitless sensitive private information from health insurance companies, including medical records, can be collected secretly by simply issuing a national security letter under section 505 on an FBI field director's own assertion that the request is merely relevant to a national security investigation. These private health insurance records can be demanded without any court review or approval, not even a FISA court.

Worse yet, the target of the NSL will never know that his health records were inspected by government agents, because health insurance companies are barred by law from telling him or anyone else that the records were demanded.

Government officials already have access to so much of our personal information, such as credit reports, library use, and telephone communications. Do we want the government to keep files detailing our personal lifestyles as revealed by our medical histories, psychiatric profiles, lab studies, and diagnostic tests like CAT scans or MRIs?

Why does the FBI need access to health records? How is this information pertinent to a terrorist investigation? If somehow your medical records are, in fact, relevant to a terrorist investigation, the government should be required to explain to a judge, in a secret FISA court if need be, why that is, instead of simply allowing an FBI field agent to demand those records in secret.

In any criminal investigation the FBI can obtain a search warrant for documents or other tangible things if there is a judicial finding of probable cause that a crime has been or will be committed. The FBI can use grand jury subpoenas issued under the supervision of a judge and the U.S. Attorney. And in international terrorism cases, such as we are talking here, the FBI has sweeping authority to obtain business records, including medical records, under section 215, which we discussed a few moments ago.

Given these existing powers, there is no reason to authorize the FBI to issue unchecked and reviewable national security letters demanding personal medical records.

I am not seeking to repeal the PATRIOT Act. This amendment seeks only to modify the application of one provision that poses a serious potential to abuse. Through this very narrow amendment we can provide checks and balances with regard to our sensitive medical records.

However, since I was greatly restricted by the House rules, this amendment does not fully address all the problems created by section 505 and national security letters. I am hopeful I can work with the Committee on the Judiciary to address these problems more completely. This amendment addresses only the health insurance provider's records; not bank records, not credit company records, not credit bureau records, not car dealerships. But when it comes to health insurance, what terrorist has health insurance? The problem is that most, but not all, innocent Americans do have health insurance, and the FBI should not have easy access to this information, at least not without telling a judge why he needs this.

I have also introduced, along with the gentleman from Arizona (Mr. FLAKE), a stand-alone bill to address more fully the issues presented by section 505.

In Doe v. Ashcroft, the New York Federal District Court struck down this section on the grounds that it violates free speech rights under the first amendment, as well as the right to be free from unreasonable searches under the fourth amendment.

We can all agree that giving the FBI access to our most intimate private information is too great an intrusion of privacy to leave unlimited and unsupervised. We can be both safe and free. And if the FBI thinks that for a terrorist investigation it needs access to private medical records, let them at least show to a judge, in a secret FISA court, under section 215, which we did not take the power away from them to do, why that is relevant to an ongoing terrorist investigation.

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

Mr. WOLF. Mr. Chairman, I claim the time in opposition to the amendment, and I yield myself 30 seconds.

Mr. Chairman, I rise in opposition. The Committee on the Judiciary has held over 10 hearings on the PATRIOT Act, including a hearing devoted just to national security letters.

We saw this amendment for the first time Monday night. It is unclear to me why health insurance records are different than any other records. We do not know how this amendment would impact a counterterrorism investigation. We just do not know. And here we are with 7½ minutes on each side. What is this? This is no way to protect the country.

I could never support 7½ minutes. And I do not care if it is just the naming of some government building somewhere. So I strongly urge Members to vote ''no'' on this. Seven-and-a-half minutes? We cannot do it. I urge a ''no'' vote.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. FEENEY).

□ 1645

Mr. FEENEY. Mr. Chairman, again, I appreciate the gentleman from Virginia (Mr. WOLF) yielding me this time, and he is exactly right. The Committee on the Judiciary has had no less than 10 hearings on the PATRIOT Act, including one specifically devoted to national security letters.

This may be an issue as we move forward on the process to find a way to reform or modify, but there have been no abuses. This is a solution in search of a problem. The fact of the matter is these types of subpoenas are already available to investigate insurance fraud or bad doctors. If we can use these subpoenas to find bad doctors taking advantage of the Medicare or the Medicaid system, why can we not use these subpoenas to track down a terrorist? We are not talking about medical personal records of anybody. We are talking about financial records.

Let us say theoretically, since there have been no abuses, let us say hypothetically al-Zawahiri was injured and sought medical attention. We could potentially track down the financing to locate him.

Let us suppose we had a known terrorist here in the United States that underwent plastic surgery to change his or her identity. We could track down the financial records to possibly intercept that.

These subpoenas have been used since 1996 under the Clinton administration as a tool for health care fraud investigations. If we can use these appropriately under the proper circumstances to find bad doctors, surely a national security letter can be used to track down evil terrorists.

I do not think this is a widespread tool being used on a regular basis, but there may come a time when we rue the day that we have taken away one more law enforcement tool to track down the bad guys.

Mr. NADLER. Mr. Chairman, there are no abuses we know of because they are all secret and they cannot tell us about abuses.

Mr. Chairman, I yield 1½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I rise in strong support of the Nadler amendment to prohibit the release of medical records under section 505 of the PATRIOT Act. The PATRIOT Act was drafted in a rush to respond to a perceived need of new law enforcement powers immediately after 9/11. As such, the law must be considered a work in progress at best.

Section 505 of the PATRIOT Act authorizes FBI field office directors to collect in secret almost limitless sensitive personal information, including medical records from health insurance companies. This is done without court review or approval. This is a major invasion into the right to privacy. We must draw the line at this invasion into our personal lives.

This critical Nadler amendment provides crucial checks and safeguards. Records held by health insurance companies may include laboratory tests, medications prescribed, the results of operations and other medical procedures. The FBI has no business examining America's health records without a court order.

I believe it is a rare occurrence that the FBI would truly need access to health insurance records. For the most part, such information is not pertinent to a terrorist investigation. There is a better way. If the FBI did have a real need for such records, the FBI could simply use other legal mechanisms to gain access, and those options include judicial review and thus protection of privacy.

Protection of our personal privacy is a basic and fundamental responsibility of this Congress, and that is why the Nadler amendment elevates the condition of this Congress to where we can be in the defense of the right to privacy. Support the Nadler amendment. Support the right to privacy.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman for yielding me this time and for the opportunity to say a few words with regard to the Nadler amendment, an amendment that would prohibit the use of national security letters to get medical reports of all kinds. That would also include insurance company records which qualify as financial institutions.

We have another amendment on the floor of this Congress which qualifies as a sanctuary amendment. It carves out another region that terrorists then would know that they can go ahead and go in and operate on without fear of government intervention or government investigation.

In fact, there is a significant case. Suspects have bought bulk amounts of Cipro, which is the antidote for anthrax. That may be an indicator of a dirty bomb or a series of dirty bombs that could be set up and staged and the perpetrators would want to have the antidote. Could that also be the case for smallpox?

These kinds of indicators need to be available to our investigators. This creation of this fear of Big Brother, this relentless attack on the PATRIOT Act without substance is causing concern amongst the citizens. I have civil libertarian instincts within me, but I have come to the conclusion that we are far safer, the requirement that these reports come back to Congress and we review those reports, we are far safer that way than we are erring on the side of liberty safety without merit on the other side.

I think it is important that we put protections in the PATRIOT Act. The standards that have been there before with criminal investigations are higher for the PATRIOT Act, not lower. We did not expand any access into information to speak of. We made a high standard. That high standard is held and it is maintained, and the records come back before Congress without a single case of abuse; but we want to carve out another sanctuary for another issue here to placate some people who have been caused to have fear of the PATRIOT Act by a propaganda campaign across America.

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

Mr. Chairman, this amendment does not carve out a sanctuary as the gentleman says, nor do they report to Congress. They report to Congress on other things, but on section 505 they report nothing. We get no information.

All this amendment says is if the FBI thinks that your personal medical records, and that is all we are talking about, the medical records from the medical insurance company, are relevant to a terrorist investigation, they go to a judge and tell him and he says yes. They can even go to a FISA court judge in a secret proceeding.

Also, we were told they can get these records by administrative proceedings on other subjects. On other subjects they get the proceedings, they ask you for the records about yourself, and you can move to quash it. You can challenge it. They do not go to the insurance company and say give me the records about him under administrative subpoenas.

Under this section, the government can go, the FBI can go to the insurance company and get your personal medical records without even telling any judge, even in a secret proceeding, why it is necessary. All this amendment says is if they want your personal medical records, they have to tell a judge why it is relevant, in secret, why it is relevant to a terrorist investigation. They do not have to not get the records, but they have to tell a judge why it is relevant, and the judge can say it is relevant.

That is the minimal standard we should insist on for liberty. Indeed, in other amendments we say it is not good enough, and I agree. But in this amendment, that is all we are asking. For personal medical records, if the government wants to rummage through your personal medical records, they should have to say to a judge in a FISA court in a secret proceeding why they think it is relevant to an investigation. Not why there is probable cause, but why it is relevant. It is a very low standard, and if the government cannot meet that standard, they should not have your personal medical record information.

I urge my colleagues to vote for this amendment.

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

Mr. WOLF. Mr. Chairman, I yield the balance of the time to the gentleman from California (Mr. DANIEL E. LUNGREN), a former attorney general.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, let us understand first what we are talking about here. We are talking about national security letters, NSLs. They are administrative subpoenas that can be used in international counterterrorism and foreign counterintelligence investigations, not even domestic terrorist investigations. So we are limited to that category.

Secondly, some of the statements that have been made here are questionable in terms of their conclusions, that is, that there is no reporting to Congress. As a matter of fact, NSLs are reported to our intelligence committees, both the House and the Senate. Obviously, not all Members are on those committees, but it is my information that Members can go to the Permanent Select Committee on Intelligence and examine the documents presented by the Department of Justice in this regard.

The Supreme Court has upheld the use of administrative subpoenas where the demand is definite and the information sought is relevant. As with other types of subpoenas, the national security letter is a request for information and is not self-executing. In fact, they cannot enforce it. If the recipient refuses to accept the request for information, there is no enforcement mechanism. The FBI would have to obtain an enforcement order from a Federal court, not an NSL.

In fact, the Justice Department has argued both in and out of court that the current law allows for a recipient to obtain preenforcement judicial review of an NSL. As a matter of fact, some of us working on this on the Committee on the Judiciary believe that information ought to be presented to the recipient. They ought to be notified ahead of time, and that is one of the things we ought to be working on.

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

Mr. DANIEL E. LUNGREN of California. I yield to the gentleman from New York.

Mr. NADLER. Mr. Chairman, a NSL, unlike an administrative subpoena, is not the target of the inquiry and has no interest in contesting or refusing it.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I appreciate what the gentleman is saying. It is a third party. There is no doubt about it.

In some cases it is essential to be able to get that information if you are involving yourself in a counterterrorism investigation precisely because you do not want those people to know you are going after that. But the recipient of the letter has the ability to refuse to give that to the authorities.

The idea that somehow we have such an abuse of these letters flies in the face of any presentation we have had from the committees of jurisdiction, that is, the Intelligence Committees of the House and the Senate. There has been no report to us that there has been an abuse.

I think those of us on the Committee on the Judiciary can work on this if we want to refine it more, if we want to make sure that there is an affirmative presentation to the recipient to let them know they do not have to comply, if there are some sort of other protections we want to wrap around it.

But I also think it is wrong for us to try to do it in this particular venue, and especially when we have a definition of all health records. That goes beyond just personal records. The gentleman's definition is much broader than that in terms of the whole health industry, the whole health insurance industry.

I suggest this is a precipitous action by this body, and I would ask Members to vote down the gentleman's amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the amendment authored by the Gentleman from New York, Mr. NADLER, to the Commerce-Justice-State-Science Appropriations Act for Fiscal year 2006. His proposal is simple but carriers tremendous weight in terms of protecting the Constitutional rights of individuals who live in this nation. it withholds funds from government action to issue a national security letter (NSL)

for the purpose of obtaining health insurance records under any provisions amended by Section 505 of the PATRIOT Act.

Currently, under Section 505 of the PATRIOT Act, the FBI is authorized to issue self-authorized secret national security letters to insurance providers, which opens the door to he secret seizure of highly personal medical information.

Section 505 of the PATRIOT Act authorizes FBI field office directors to collect, in secret, almost limitless sensitive personal information, including medical records, from health insurance companies that are not under investigation themselves but have customers whose records the government wants by simply issuing a ''national security letter'' carrying the weight of law on the FBI's own assertion that the request is relevant to a national security investigation.

This unfettered access to information that has been held to be Constitutionally protected since the passage of the Bill of Rights must be checked, and the Nadler Amendment provides that check in the context of fulfilling funding requests for the Department of Justice. Not only is the scope of the searchable material under this provision unconstitutional but the prohibition on notice to the individual searched contravenes the notions of privacy that have formed the foundation of our fundamental freedoms.

Records held by health insurance companies about their customers must be turned over regardless of whether they concern financial matters, because ''financial records'' are defined as ''any record held by a financial institution pertaining to a customer's relationship with that institution.'' The records sought may include laboratory test results, medications prescribed, and reports that indicate the results of operations and other medical procedures. This kind of authority might well be described as ''terroristic'' to Americans in and of itself.

The existence of alternative ways of accessing this kind of information with grand jury subpoenas and orders issuing under Section 215 justify offering this important amendment. This section allows the FBI to obtain virtually any business record simply by asserting the information is ''relevant'' to a national security investigation. It can be used to obtain records of individuals who are not suspected or accused of any crime.

Citing Section 215, the government may, unbeknownst to the suspected person, secretly obtain employment, medical, and financial records, membership lists, and even a key to one's office. The only oversight is an annual report to Congress of the number of warrants issued.

Mr. Chairman, I have been involved in the limited oversight that the House Judiciary Committee has begun. On Friday, June 10, 2005, the manner in which the Committee Majority Leadership conducted that hearing is only indicative of the manner in which the highly controversial provisions of the PATRIOT Act have been foisted upon the American people. I support the Gentleman's amendment and urge my colleagues to do the same.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The amendment was rejected.

AMENDMENT NO. 17 OFFERED BY MR. STEARNS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. STEARNS:

Page 108, after line 7, insert the following title:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used for the design, renovation, construction, or rental of any new headquarters for the United Nations in New York City or any other location in the United States.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Florida (Mr. STEARNS) and the gentleman from Virginia (Mr. WOLF) each will control 5 minutes.

Mr. WOLF. Mr. Chairman, I yield half of my time to the gentleman from West Virginia (Mr. MOLLOHAN) and ask unanimous consent that he be permitted to control that time.

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

There was no objection.

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

This amendment is more symbolic than it is substantive. It is really giving an opportunity for Members on both sides of the aisle who feel frustrated with the increased cost for things that happen around here. We know that we start out with a project that costs $40 million, and it ends up costing $550 million, and I am talking about the tourist center right outside the Capitol. We saw what happened in Boston with the Big Dig.

Basically, my amendment says before we give any money to the United Nations, $1.2 billion, that we should have a study. We should have a GAO audit. We should have some kind of reference put down before they go out and spend this money.

□ 1700

The U.N. wants to spend $1.2 billion in renovating the New York City United Nations headquarters. Then they want to spend $650 million to house the organization in the meantime for rental purposes or existing office space in Manhattan and elsewhere, so we are roughly up to $1.8 billion. It could be $2 billion. It could be $3 billion. I think before we allow the United Nations to spend any of this money, why do we not have a GAO audit, or why do we not at the very least impanel a panel to determine how they are going to spend this money? Because we know the rental price of real estate in New York, it costs a lot of money. It keeps going up every year. There is no doubt that the estimate that the U.N. gave of $1.2 billion and roughly $650 million to relocate while they renovate is very small. These initial financial estimates probably are not accurate. As I mentioned earlier, look at the Big Dig in Boston, the money we put up there, it is still going on. It is just a total overrun.

I just urge my colleagues to look at this, not so much as substantive because the money was appropriated. It was in last year's bill. This is basically saying, before we go ahead and give this money, we should tell the United Nations, give us a plan, let us have an opportunity to review the cost before you go ahead, and then we can look at it more carefully.

This is not an amendment that is against the United Nations. It is just an amendment asking for some kind of fiscal responsibility by these people before they spend the money.

The amendment that I am offering today proposed a very simple goal. It merely states that none of the funds made available in this act shall be used to renovate and modernize the U.N. headquarters in New York City.

As we all know, the United States already pays roughly 22% of all U.N. expenses. We do so despite the fact that the U.N. often goes against American values and American interests.

Now the U.N. is planning a $1.2 billion renovation of its New York City headquarters. They are also considering either the construction of a new building costing $650 million to house the organization in the meantime, or the rental of existing office space in Manhattan or elsewhere in the city. No doubt this rental of prime real estate will also cost hundreds of millions of dollars. So we are talking a renovation costing approximately $2 billion, at least.

I say ''at least'' because these are just the initial financial estimates, and there's a good chance the costs will increase substantially, as these projects often do.

Just look at the Big Dig in Boston, or even the Capitol visiting center, to see projects that were only expected to cost a billion or two, but have since far exceeded their initial cost expectations.

I'd like to note that even though Congress voted last year to offer a $1.2 billion loan to the U.N. for the purpose of renovation, several member countries complained that we charged interest on the loan, a modest 5.5%. As such, the U.N. General Assembly has not yet accepted the loan and its conditions, so it is possible that may find different financing. Either way, American taypayers will end up paying the lion's share of this renovation.

Mr. Chairman, there are serious questions about the costs of this renovation project. It is considered wasteful by Donald Trump, who, whatever his faults, knows a thing or two about real estate in New York City.

''The United Nations is a mess,'' said Trump recently, ''and they're spending hundreds of millions of dollars unnecessarily on this project.''

In fact, according to published reports, Mr. Trump recently met with Kofi Annan and offered to manage the renovation of the U.N. building for the much lower total of $500 million, yet he never received a response from the U.N.

Several other real estate experts have concluded that renovations in New York City should cost a fraction of what the U.N. is claiming is necessary to fix their buildings.

I submit these press accounts detailing the opposition of New York City real estate developers for the record.

If these real estate experts are right, then it appears that hundreds of millions of dollars may be unaccounted for, either through incompetence or corruption.

We are still trying to get to the bottom of the Oil-for-Food scandal, in which $20 billion in U.N. funds were also somehow "lost." The U.N. does not have the best track record for competent and legitimate spending.

Mr. Chairman, there are obviously serious questions about the U.N.'s renovation project, which, along with their plans for temporary housing, will cost close to $2 billion.

The questions involved with this renovation project are not dealt with in Chairman HYDE's bill, in the Gingrich-Mitchell report.

This amendment is not an anti-U.N. amendment. What this amendment is attempting to do is make sure that American taxpayer dollars are spent wisely. We need to make sure that this renovation project is being run in a transparent and cost-effective fashion.

If we waste hundreds of millions of dollars on this renovation, that's money that won't be able to go toward peace and humanitarian efforts.

So what this amendment will do is tell the U.N. that we will have no part of financing this renovation until we see some sort of action taken to ensure that there is financial accountability.

I urge my colleagues to support this amendment and to support financial accountability.

[From the Weekly Standard, May 16, 2005]

TROUBLE AT TURTLE BAY

(By John Hinderaker)

The United Nations has been in the news of late. As usual, most of the news is negative: evidence suggesting that one or more members of the Security Council were bribed by Saddam; an inability to deal effectively with various crises in Africa; the embarrassing presence of nations such as Iran, Syria, Libya, Zimbabwe, and Saddam's Iraq on U.N. commissions on human rights, proliferation and weapons of mass destruction; the oil for food scandal.

In the midst of these controversies, the United Nations is proceeding with plans to upgrade its Manhattan headquarters. The organization's headquarters at Turtle Bay were completed in 1950 and renovated in the 1970s. The United Nations now believes that another renovation project is necessary, and has prepared a $1.2 billion plan to carry out the work.

While the construction is underway, the organization will need to be housed elsewhere. In its original form, the U.N. plan included construction of a new, 35-story building over Robert Moses Playground, a park near Turtle Bay, at a cost of an additional $650 million. This new building was slated to be the U.N.'s home during the renovation project, and to continue in use by the organization thereafter.

It was the construction of this new building—for which approval by the New York legislature was required—that first drew public criticism of the project. Bipartisan opposition to the new building stalled legislative action in the New York Senate. With no sign that senators opposing the project would relent, Kofi Annan, on May 10, issued a statement urging the United Nations to abandon its plan for the new building, on the ground that it could not now be completed in time for its projected use as a temporary home. Instead, the United Nations will look for existing office space elsewhere in Manhattan.

There has been little debate over the broader issue of the renovation project itself, perhaps because so few people are aware of it. Establishment figures such as Colin Powell, Ed Koch, and Mortimer Zuckerman have been enlisted to head a committee to lobby for the project. With the notable exception of the New York Sun, however, the press has been virtually silent. This seems odd, in view of the serious questions that have been raised about the cost of the renovation.

The U.N.'s Capital Master Plan states that a total of 2,651,000 square feet will be renovated. Assuming that figure to be correct, the per square foot cost would be $452. But, as reported by the Sun, real estate experts question whether the U.N.'s facilities contain anywhere near that amount of space. According to the U.N.'s web site, the organization's headquarters include four main structures, whose size has been estimated as follows:

Secretariat Building: 39 floors and three subfloors, approximately 500,000 square feet.

General Assembly Building: Five total floors, approximately 380 ft. by 160 ft., or 304,000 square feet.

Conference Building: Four stories, approximately 115,000 square feet.

Dag Hummarskjold Library: Four stories and two sublevels, 219 ft. by 84 ft., total 110,376 square feet.

If these estimates are correct, only around 1,029,000 square feet will be renovated under the U.N.'s proposal. At a total cost of $1.2 billion, the project would then weigh in at over $1,100 per square foot.

Either of these figures is regarded by local real estate developers as stunning. The New York Sun reported on February 4, 2005:

The United Nations has said its plans to renovate its headquarters at Turtle Bay will cost $1.2 billion.

That strikes Donald Trump as far too much. "The United Nations is a mess," the developers said yesterday, "and they're spending hundreds of millions of dollars unnecessarily on this project."

And he's not the only one. Several Manhattan real-estate experts told The New York Sun this week that renovating premium office space should cost a fraction, on a per-square-foot basis, of what U.N. officials expect to pay.

An executive managing director at the commercial real-estate firm Julien J. Studley Inc., Woody Heller, said a thorough renovation of an office building would probably cost between $85 and $160 per square foot.

An executive vice president at Newmark, Scott Panzer, said renovation prices could range between $120 and $200 per square foot. Mr. Panzer, who works with many corporations to redevelop their buildings for future efficiency and energy cost savings, put a price of $70 to $100 per square foot on infrastructure upgrades. Those would include heating; ventilation; air conditioning; replacing the central plant; fenestration (specifically, switching from single-pane to thermal-pane windows); upgrading elevator switch gears, mechanicals, and vertical transportation; improving air quality, and making security upgrades. On top of that amount, another $50 to $100 per square foot would take care of the inside office improvements.

The chairman of global brokerage at commercial real-estate firm CB Richard Elis, Stephen Siegel, said high-end commercial renovation usually runs $50 to $100 per square foot. For a renovation that does not include new furniture—according to the 2002 Capital Master Plan, the United Nations' will not—but does provide for improved heating, ventilation, and air-conditioning equipment, as well as work on the building exterior, the cost would be closer to the $100 end of the range, Mr. Siegel said. Even accounting generously for upgrades that might be peculiar to the United Nations, Mr. Siegel added, he would set $250 per square foot as the absolute maximum.

I would appear, then, that hundreds of millions of dollars are unaccounted for, even on the most generous assumptions.

Trump has gone further, expressing the view that the expenses projected by the U.N. can only be the result of graft or incompetence. In a speech on the Senate floor on April 6, 2005, Senator Jeff Sessions recounted his conversation with Trump:

Let me share this story with you, which is pretty shocking to me. The $1.2 billion loan the United Nations wants is to renovate a building. Some member of the United Nations, a delegate, apparently, from Europe, had read in the newspaper in New York that Mr. Donald Trump . . . had just completed The Trump World Tower—not a 30-story building like the United Nations, but a 90-story building, for a mere $350 million, less than one-third of that cost. So the European United Nations delegate was curious about the $1.2 billion they were spending on the United Nations. He knew he didn't know what the real estate costs are in New York. So, he called Mr. Trump and they discussed it. Mr. Trump told him that building he built for $350 million was the top of the line. It has the highest quality of anything you would need in it. They discussed the matter, and an arrangement was made for Mr. Trump to meet Kofi Annan, Secretary-General, to discuss the concerns. . . . So according to Mr. Trump, who I talked to personally this morning, they go meet with Mr. Annan, who had asked some staff member to be there. . . . When the European asked how these numbers could happen, Mr. Trump said the only way would be because of incompetence, or fraud. That is how strongly he felt about this price tag because he pointed out to me that renovation costs much less than building an entirely new building. So he has a meeting with Mr. Annan, and they have some discussion. And Mr. Trump says these figures can't be acceptable. He told me in my conversation this morning, he said: You can quote me. You can say what I am saying. He said they don't know. The person who had been working on this project for 4 years couldn't answer basic questions about what was involved in renovating a major building. He was not capable nor competent to do the job. He went and worked on it, and talked about it, and eventually made an offer. He said he would manage the refurbishment, the renovation, of the United Nations Building, and he would not charge personally for his fee in managing it. He would bring it in at $500 [million], less than half of what they were expecting to spend, and it would be better. . . . Yet he never received a response from the United Nations.

It appears there are serious questions about the U.N.'s renovation project. Depending on which assumptions one accepts about cost and square footage, anywhere from $500 million to $1 billion in expense is unaccounted for. Given the U.N.'s history, is there any reason to doubt that the costs projected by that organization include substantial sums representing, as Trump put it, incompetence or fraud? Given what we know about the oil-for-food program, is there any reason to trust the U.N.'s business or accounting practices?

American taxpayers have a legitimate interest in knowing the answers to these question. The renovation is to be financed by a low-interest, 30-year, $1.2 billion loan from the U.S. government. (Kofi Annan's original request for an interest-free loan was turned down.) And, of course, the loan will then be repaid largely by American taxpayers, who foot a little over 20 percent of the U.N.'s bills.

A few congressmen and senators have finally begun to ask whether the U.N. building project is a boondoggle. It's about time.

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

Mr. WOLF. Mr. Chairman, I yield myself 1 minute. I think the gentleman makes some decent points. There were the Gingrich-Mitchell recommendations which have been made. The gentleman said that he would withdraw the amendment if we got a GAO study. I think we ought to look at this thing. I think that the committee will ask the GAO to do a study to look at the cost and make sure. It is hard to argue against the gentleman for wanting a study because we now know, and being the author of that task force, that the U.N. failed on the Oil-for-Food program. I think it makes sense.

With that, I will pledge and I will wait to hear what the gentleman from West Virginia says, but we will ask the GAO for a study to look at these things.

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

Mr. MOLLOHAN. Mr. Chairman, I yield myself such time as I may consume. I rise in opposition to the amendment. It is my understanding that the gentleman will withdraw his amendment upon an understanding that the chairman, who I would support, would encourage a GAO study?

Mr. STEARNS. If the gentleman will yield, I will. I am reluctant to do it, but I would.

Mr. MOLLOHAN. Then I agree to proceed in that manner.

Mr. STEARNS. Let me just complete my presentation, then. I will be glad to withdraw it as long as I get the confirmation that there will be a GAO study before these moneys are issued.

Mr. MOLLOHAN. With that representation, I will not oppose the gentleman.

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

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

These are serious questions when you spend $1.2 billion. Obviously we are going to pay one-fourth of this. At the very least, with all this kind of waste we have seen and fraud in some of these estimates around here, it is not unreasonable for taxpayers to have some kind of control over this. We are just trying to make sure that American taxpayers' dollars are used wisely, and that the renovation project is being run in a transparent and cost-effective manner, and, in fact, when these employees go to other places to live while they do the renovation, that they do not waste hundreds of millions of dollars in doing so.

I think the United Nations has had several offers from developers in town, in New York City, to say we will do this for one-third of the cost. I think the United Nations has to tell us, if you are going ahead with this project, we have got to have assurance that there is going to be a fixed-cost basis on this contract and not procurement on a cost-plus fee basis or cost-plus-plus basis. These are the kind of contracts that just roll out of pocket. We need to tell the United Nations that they have to be accountable and provide good financial accountability, not just for United States dollars, but also for all the dollars.

Mr. DAVIS of Illinois. Mr. Chairman, the Legal Services Corporation (LSC) is a private nonprofit, federally funded corporation that helps provide legal assistance to low-income people in civil matters. When the LSC was first established, its initial goal was to provide all low-income people with at least minimum access to legal services, defined as the equivalent of two legal services attorneys for every 10,000 poor people. This goal was achieved briefly in FY 1980 but not maintained due to inflation and subsequent budget cuts.

Legal services provided through LSC funds are available only in civil matters to individuals with incomes less than 125% of the federal poverty guidelines. The LSC places primary focus on cases that deal with family related issues like divorce, separation, child custody, support, adoption, spousal abuse, child abuse or neglect, evictions, foreclosures, access to health care, debt collection, employment, health and education. Most cases are resolved outside the courtroom via legal advice and telephone calls by attorneys. This is a very cost-effective approach to settling legal matters.

I opposed Representative STEARNS amendment to reduce the Legal Services Corporation FY2006 appropriations allocation by $10 million. The LSC is already underfunded to provide low-income people with adequate and necessary resources to solve their legal matters.

Mr. STEARNS. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

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

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 8____. None of the funds made available in this Act may be used to deny the production of safety reports regarding the NASA Space Shuttle program and the International Space Station.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Mr. Chairman, this amendment is very clear and straightforward. None of the funds made available in this act may be used to deny the production of safety reports regarding the NASA space shuttle program and the international space station. To the credit of NASA and to the credit of the members of the House Science Committee, we have joined together along with the Senate and been diligent and steadfast as it relates to safety issues in the human space shuttle and international space station.

Those of us who come from the region that I come from and have as our neighbor the Johnson Space Center have lived through *Challenger* and then *Columbia*. These are our neighbors, our friends, and certainly the families are families that we care for. In fact, so many of the names are household names to us because, as I said, they are our neighbors.

This amendment simply reinforces the importance of safety and safety reports as it relates to the human space shuttle and the international space station. Just recently NASA was able to report that 3 out of the 15 safety requirements that were recommended by the Columbia report have now been completed. At the same time, the international space station is making steadfast but slow progress in securing that facility. Over the last couple of months, we have seen article after article about air quality and a number of other concerns that will require our oversight.

This amendment wants to reinforce the fact that we are committed to exploration in space, but likewise, we are committed to safety. One of the issues that was very important during the time of *Columbia* and the review that occurred, one, to put forward the most effective and efficient commission that we could, and the Gehman Commission did an outstanding job; but, two, to ensure that we retained skilled workers.

I am very gratified to note that language in this legislation indicates that if a worker is trained along the line of safety skills, then their work position should certainly be protected, or there should be some reason for their termination if that occurs.

This amendment is to focus us again on the fact that if we are recommitting ourselves to the vision of Mars, the vision of exploration, then we should commit ourselves to the safety of the personnel who are engaged, the safety of those who reside on the international space station, the safety of those who will travel.

Let me also say, Mr. Chairman, that in reviewing the articles that I have seen over the last couple of weeks listing and reviewing reports, we note that we have just discovered that the potential for falling debris can be as threatening to the human space shuttle as it was 3, 4, 5, 6 years ago. That is a safety question. No manner of reports or study are too much to determine that safety.

This amendment, as I said, is straightforward. I ask my colleagues to support it, which is to emphasize the importance of safety reports and review by NASA to ensure that whatever we do, it be done safely, protecting the lives of Americans who are willing to go forward and explore space on our behalf.

I thank the chairman and the ranking member of the subcommittee for their hard work in making the conduct of this floor consideration a bipartisan experience thus far, and I thank them for making the Jackson-Lee amendment in order. This amendment, designated as ''Jackso 110,'' seeks to preclude funds that in any way obstruct or otherwise hinder the production of safety reports as to the NASA Space Shuttle program and the International Space Station.

As a member of the House Science Subcommittee on Space and Aeronautics as well as a Representative of the 18th Congressional District, home of the Johnson Space Center, which is where astronaut training and Mission Control take place. The safety of our space missions is paramount, and this is the impetus behind the Jackson-Lee amendment. I offered this important amendment with the upcoming launch of Space Shuttle *Discovery* next month for International Space Station Flight LF1 in mind. During this mission, new inspection and repair techniques will be implemented; therefore, it is important that full reporting remain unimpeded.

In the past, I have introduced legislation that would provide for the establishment of an independent, Presidentially appointed Commission to assess the safety of the International Space Station and its crew, H.R. 4522 in the 108th Congress. The Jackson-Lee amendment is consistent with the spirit of this legislation by preserving the oversight and reporting functions that are in place.

Since the tragic *Columbia* Space Shuttle accident safety must be our number one priority. I am working with the majority party appropriations to have language inserted in the Conference Report for this bill which would direct NASA to report the amount of money spent in its budget for safety overall as well as for each major program and initiative for it fiscal year 2007 budget request and for all following years. This language about NASA safety will help determine if enough funds are being dispersed for safety procedures. In addition, it will allow appropriators to determine from year to year whether there has been an increase or decrease in safety spending. However, more can be done and must be done to assure our brave astronauts that we have done all we can to ensure their safety.

Given the great distances that NASA has traveled in terms of progressing from widespread scrutiny and speculation as to whether it operated with a culture of safety, the Jackson-Lee amendment will preserve the transparency and the commitment to safety that will help the families of the brave astronauts who will travel with *Discovery* feel an added comfort. In the summer of 2003, *Columbia* accident investigators condemned NASA's safety culture and put as much blame on poor management as the flyaway piece of foam insulation that tore a hole in the shuttle's lift wing at liftoff. The shuttle was destroyed during reentry on February 1, 2003, killing all seven astronauts aboard.

Mr. Chairman, this is a simple amendment that does not affect the functionality of NASA. Rather, it seeks to strike the balance between the need to explore and learn expeditiously and the need to remain deliberate, responsible, and safe in doing so.

I ask that my colleagues support this amendment.

Mr. WOLF. Mr. Chairman, will the gentlewoman yield?

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

Mr. WOLF. Mr. Chairman, we support the amendment. We support safety. I thank the gentlewoman for offering it. We accept the amendment.

Ms. JACKSON-LEE of Texas. Reclaiming my time, let me thank the gentleman and let me thank my colleagues. I thank them for the accepting of this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

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

I would just say, that chart has been used a lot today for different issues. This is probably the right issue for this time; is that correct? It has been up here before. It is the chart that keeps reappearing.

Mr. KING of Iowa. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman for yielding. This is the right poster this time. This is a poster that illustrates a number of the States that have participated in sending their law enforcement officers to the Regional Training Center in Sioux City, Iowa. In fact, now it is the National Training Center in Sioux City, Iowa, that has trained hundreds and hundreds of police officers.

Drug trafficking and its many associated crimes such as robbery, burglary and murder contribute to the decay of our social fabric. This problem is not only found locally or regionally, but also nationally. Unfortunately, small-town and rural America are no longer shielded from the impact of illegal drugs. Methamphetamine producers and traffickers are some of the most dangerous drug offenders in our communities.

I want to thank the gentleman from Virginia for his recognition of the importance of the Regional Training Center in Sioux City and its inclusion as a line in the House report. The Regional Training Center utilizes a regional and national approach to bring communities and criminal justice agencies together to receive training to control the growing national problem of methamphetamine, poly-drugs and their associated crimes. The Regional Training Center seeks a comprehensive approach to control and reduce meth trafficking, production and usage along with other drugs. It provides training that serves small rural communities as well as large metropolitan areas, including the 38 States here in this poster.

As of last March, the center has instructed a total of 19,308 law enforcement professionals from 1,338 different agencies and actually some foreign countries as well. It establishes a central clearinghouse for organization, coordination, curriculum development and resource and intelligence sharing that will benefit everyone impacted by the meth problem. It draws on the input and cooperation of local law enforcement, the business community, educational institutions, health centers and community groups to create a network of cooperation and an atmosphere of mutual support that will exist well into the future. It provides up-to-date information and training on the growing trend of terrorists using the sale of illegal drugs to fund their activities.

Meth can be manufactured a lot of ways. We have talked about that in this appropriations process.

I want to also emphasize that they have opened up a canine training center to train drug dogs here at the Regional Training Center, now just really renamed the National Training Center. They have struggled to put together the funding. This is something that was initiated by the gentleman from Iowa (Mr. LATHAM) some years ago. Today they can hang on for a little while, but they need an appropriation. They need an appropriation that hopefully will either be implemented in the Senate or else come out of the conference report. I would ask him with confidence if the gentleman would be willing to work with me on that particular initiative.

Mr. WOLF. We will definitely work with the gentleman in conference to ensure that this program is funded.

Mr. KING of Iowa. I thank the gentleman very much for his work on this issue and on many others on this appropriations bill.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment offered by the gentlewoman from Ohio (Mrs. JONES), amendment No. 21 offered by the gentleman from Indiana (Mr. HOSTETTLER), and amendment offered by the gentleman from Vermont (Mr. SANDERS).

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

AMENDMENT OFFERED BY MRS. JONES OF OHIO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Ohio (Mrs. JONES) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 222, not voting 10, as follows:

[Roll No. 256]

AYES—201

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

NOES—222

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

NOT VOTING—10

Bono
Cuellar
Garrett (NJ)
Hyde
Napolitano
Northup
Oberstar
Sessions
Sullivan
Weldon (PA)

ANNOUNCEMENT BY THE CHAIRMAN

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

□ 1735

Messrs. TIBERI, BOEHNER, BASS and LoBIONDO changed their vote from ''aye'' to ''no.''

Mr. TAYLOR of Mississippi, Ms. LORETTA SANCHEZ of California and Ms. McKINNEY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. NAPOLITANO. Mr. Chairman, on rollcall No. 256, had I been present, I would have voted "aye."

AMENDMENT NO. 21 OFFERED BY MR. HOSTETTLER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 242, noes 182, not voting 9, as follows:

[Roll No. 257]

AYES—242

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Costello
Cox
Cramer
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Etheridge
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kline
Kuhl (NY)
LaHood
Langevin
Latham
LaTourette
Leach
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McIntyre
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore (KS)
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nussle
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schwarz (MI)
Scott (GA)
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Tancredo

Tanner
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wynn
Young (AK)
Young (FL)

NOES—182

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boehlert
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Castle
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gilchrest
Gonzalez
Granger
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McHugh
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Nunes
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rangel
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Wolf
Woolsey
Wu

NOT VOTING—9

Bono
Boucher
Cuellar
Garrett (NJ)
Hyde
Oberstar
Sessions
Sullivan
Weldon (PA)

ANNOUNCEMENT BY THE CHAIRMAN

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

□ 1745

Mr. BUTTERFIELD and Ms. WATERS changed their vote from ''aye'' to ''no.''

Mr. WALSH changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. SANDERS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 238, noes 187, not voting 8, as follows:

[Roll No. 258]

AYES—238

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

NOES—187

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
English (PA)
Everett
Feeney
Ferguson
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kline
Knollenberg
Kolbe
Kuhl (NY)
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (MI)
Miller, Gary
Murphy
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Oxley
Pearce
Pence
Pickering
Pitts
Platts
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sweeney
Tancredo
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOT VOTING—8

Bono
Cuellar
Garrett (NJ)
Hyde
Oberstar
Sessions
Sullivan
Weldon (PA)

ANNOUNCEMENT BY THE CHAIRMAN

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

□ 1754

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. THOMPSON of Mississippi. Mr. Chairman, I am deeply disappointed with the level of funding in this apropriations bill for the State Criminal Alien Assistanace Program which helps States and localities jail criminal aliens. The bill is better than the President's budget fiscal year 2006 request of $0 for SCAAP, but that isn't too difficult.

According to the Congressional Research Service, the President's Budget request hasn't included a funding request for SCAAP since fiscal year 2003. Unfortunately, even the level provided in this bill is far below levels necessary to address the need of States and localities.

Senator FEINSTEIN and a bipartisan House group including Congressman KOLBE, the gentleman from Arizona, introduced bills that address the need for higher funding levels for SCAAP, including S. 188 and H.R. 557 calling for a SCAAP funding for fiscal year 2006 of $750 million.

The President's home State of Texas is one of SCAAP's big beneficiaries. From fiscal year 1997 to fiscal year 2004 the President's home State, Texas, has received over $351 million in order to incarcerate criminal aliens. But that doesn't even come close to the approximately $1.6 billion that California received in the same period or the $691 million that New York received.

The need for SCAAP funds to jail criminal aliens may well be why Governors Jeb Bush of Florida, Rick Perry of Texas, Arnold Schwarzenegger of California, Janet Napolitano of Arizona, Bill Richardson of New Mexico, Richard Codey of New Jersey, Kenny Guinn of Nevada, George Pataki of New York, Ruth Ann Miner of Delaware, Tom Vilsack of Iowa, Rod Blagojevich of Illinois, Sonny Perdue of Georgia, Charles Turnbull of the Virgin Islands, Christine Gregoire of Washington and Tim Pawlenty of Minnesota wrote to Congress asking the appropriations committee to provide $750 million for SCAAP.

Their letter made clear that "SCAAP provides only partial, but important, reimbursement for the cost to incarcerate these individuals."

I agree with the Governors and with Senator FEINSTEIN and with some of our colleagues in the House that in fiscal year 2006 that the $750 million level is the correct one and that increases may well be necessary in future years.

Just looking at fiscal year 2004 SCAAP awards, at the level of funding contained in this appropriations bill, California alone will eat up at least a third of the monies available through SCAAP.

As the ranking member of the Homeland Security Committee I believe that Congress must get its funding priorities right. We must focus on terrorists and criminal aliens. At a time when this Congress wants to outsource the enforcement of our civil immigration laws to the States, we need to set the right priorities. We need to fund SCAAP at higher levels.

Incarcerating criminal aliens is strongly in the homeland security interest. Making sure that our States have the money to help the Federal Government meet this commitment is in the homeland security interest.

MAY 6, 2005.

Hon. FRANK R. WOLF,
Subcommittee on Science, State, Justice and Commerce and Related Agencies, Committee on Appropriations, House of Representatives, Washington, DC.

Hon. ALAN B. MOLLOHAN,
Subcommittee on Science, State, Justice and Commerce and Related Agencies, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR CHAIRMAN WOLF AND REPRESENTATIVE MOLLOHAN: We write to express our continued support for the State Criminal Alien Assistance Program (SCAAP) and to request you appropriate $750 million for this program in Fiscal Year 2006. SCAAP is vital to states such as ours who bear a significant financial burden for the federal government's failure to control our nation's borders.

Congress has provided help in maintaining this program—but more is needed. As Governors, we are well aware of the difficult choices that must be made in prioritizing funding. It is for this reason that we join together to write you now. We want to reiterate our strong support for SCAAP and to assure you of the critical importance of this program. Each year, thousands of undocumented aliens who have committed crimes in our states are incarcerated in state or local facilities. SCAAP provides only a partial, but important, reimbursement for the cost to incarcerate these individuals.

Our states are committed to working with the Federal government to protect our nation. While we are doing what we can in this important effort, immigration policy and controlling the nation's borders are clear, fundamental responsibilities of the Federal government and an essential component of homeland security. Every effort should be made to help States and local governments cover a greater share of the expenses they incur to incarcerate criminal aliens.

Thank you for your consideration of our request. Again, we appreciate your past support and we look forward to continuing our work with you to ensure that SCAAP remains a viable program for reimbursing State and local governments for the burden they carry to incarcerate criminal aliens.

Sincerely,

Arnold Schwarzenegger, Governor of California; Rick Perry, Governor of Texas; Richard J. Codey, Governor of New Jersey; George E. Pataki, Governor of New York; Thomas J. Vilsack, Governor of Iowa.

Janet Napolitano, Governor of Arizona; Bill Richardson, Governor of New Mexico; Kenny Guinn, Governor of Nevada; Ruth Ann Miner, Governor of Delaware; Rod R. Blagojevich, Governor of Illinois.

Tommy Perdue, Governor of Georgia; Charles W. Turnbull, Governor of Virgin Islands; Jeb Bush, Governor of Florida; Christine Gregorie, Governor of Washington; Tim Pawlenty, Governor of Minnesota.

Mr. GORDON. Mr. Chairman, It is unfortunate that our current budget situation is forcing us today to make choices between funding for state and local law enforcement, science and technology, and other important programs funded in this bill. I am very concerned about the cuts to COPS and other law enforcement programs. These important programs deserve additional funding. However, I must oppose the amendments offered today that will pay for these programs by cutting funding for critical science and technology investments. Many of the science programs funded in this bill have already been reduced, and I cannot support additional reductions that will weaken our science and technology capabilities and undermine our future economic strength.

I urge my colleagues to vote "no" on amendments that reduce our commitment to science programs.

Mr. KNOLLENBERG. Mr. Chairman, I rise today in strong support of the Fiscal Year 2006 Science, State, Justice Appropriations bill and to compliment my colleague, FRANK WOLF, for a job well done.

I am particularly pleased with the increase given to the Manufacturing Extension Partnership, MEP and I would like to commend Chairman WOLF for his support of this important program.

The manufacturing sector in this country faces many challenges. There are several major issues that we and other policy makers on the Federal level need to address to improve the business environment for manufacturers. Those will take time. But the MEP program has a direct impact on thousands of small and medium manufacturers each year.

MEP is a Federal-State-private network of over 60 centers with 400 locations in all 50 States. These not-for-profit centers work with small and medium-sized manufacturers to help them adopt and use the latest and most efficient technologies, processes, and business practices.

The MEP Center in my home State, the Michigan Manufacturing Technology Center, or MMTC, helps Michigan's small and medium-sized manufacturing companies get competitive and remain that way. Founded in 1991, MMTC has six offices in Michigan. I have heard from numerous companies throughout Michigan that have benefited from MMTC's services.

Let me point out one such company, Tru-Val Tubing Company in Waterford, Michigan, which is located in my district. Tru-Val fabricates metal tubing for General Motors and DaimlerChrysler as well as several other Tier I automotive suppliers and employs approximately 120 people.

Tru-Val Tubing began working with the MMTC in 1999, and over the past 6 years of improvements, the company's defective parts-per-million have dropped from 3,500 to zero. This resulted in General Motors reclassifying Tru-Val from the bottom 5 percent to the top 5 percent of their supply base. Furthermore, Tru-Val's employees are much more satisfied with their jobs than they once were, as the company has seen a dramatic reduction in employee turnover. Most importantly, Tru-Val increased its employment from 85 to 120 as a result of the improvement in the company.

Helro Corporation of Rochester, Michigan, also located in my district, is another excellent example. Helro, a small manufacturer with 19 employees, was established in the 1960s as a form toolmaker, using a patented carbide coating and whitewall tire buffing. After relocating to Rochester, Michigan, in April 1998, Helro recognized that it would need to achieve certification if it wanted to compete in the tooling marketplace.

Finding the idea of a peer group exchange of information appealing, Helro quickly joined MMTC's ISO 9000 User Group and got everyone in the company involved. As a result, Helro came through its ISO 9001 certification audit with flying colors and was certified in September 2000. Through the certification process, Helro identified areas of waste, resulting in savings that covered the cost of its participation in the User Group. Moreover, Helro improved customer satisfaction and its credibility in the marketplace, allowing for easier introduction of its new product line.

The results at Tru-Val Tubing and Helro are not an anomaly. In fiscal year 2003 alone, MEP served more than 18,0 0 manufacturers nationwide. Those manufacturers reported an additional $2.6 billion in sales, $686 million more in cost savings, $912 million of additional investment in plant modernization, and more than 50,000 more jobs just as a result of

their projects with MEP Centers that year. Additionally, an estimate of the Federal return on our investment in MEP Centers is $4 in Federal tax revenue for every $1 invested in the program.

MEP has a documented positive impact on our manufacturing sector, and is particularly vital to our small manufacturers. As vital as this program is to our manufacturers, fiscal year 2006 funding is vital to MEP.

In addition to the funding restored to MEP, I am also pleased with the increase given to the National Science Foundation. NSF is the most important funding source for universities who educate the next generation of scientists engineers and thereby plant the seed for America's future prosperity.

I hope that NSF will continue its strong support of university based laboratories and user facilities, including the National Superconducting Cyclotron Laboratory at Michigan State University. These NSF-supported labs create powerful synergies between cutting edge research and education and are a model of state and federal partnership.

We can't afford to underestimate the importance of these programs. Our educators tell us that students are attracted by on-campus capabilities; not by the promise of an airline ticket to some remote laboratory in the U.S. or even abroad where they can visit for a few weeks.

As well, the current funding level should provide NSF with the flexibility to support both its planned activities and fund peer-reviewed, non-solicited proposals. Progress in science is often unpredictable and NSF must reserve the institutional agility to invest in "bottom-up" ideas that result from fast-breaking research discoveries.

Timely, flexible funding through NSF is a critical investment in our economic future and continued scientific leadership in the world. It deserves our support.

In closing, I would like to again extend my thanks to Chairman WOLF for his excellent work, and I encourage all of my colleagues to support this bill.

Mr. WOLF. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MARCHANT) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, had come to no resolution thereon.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 939

Ms. MILLENDER-MCDONALD. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 939.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2745, HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 109–132) on the resolution (H. Res. 319) providing for consideration of the bill (H.R. 2745) to reform the United Nations, and for other purposes, which was referred to the House Calendar and ordered to be printed.

TRIBUTE TO ELIZABETH JACKSON, MORGAN BOAEN AND THEIR PARENTS

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

Mr. KINGSTON. Mr. Speaker, I rise today to submit for the RECORD a great article on Elizabeth Jackson, who is a high school junior in Savannah, Georgia, going to St. Vincent's Academy. The article also talks about another young lady that I have had the privilege of knowing most of her life, Morgan Boaen.

Elizabeth is the daughter of Libby and Kevin Jackson, and Morgan is the daughter of Danny and Robin Boaen, all of Savannah. These two young women are very aggressive, very hard-working, very strong up-and-coming athletes. The article talks about how they play aggressively, how they play on the team, how they give it their best effort, and how they play to win.

It is interesting, having known these young women all their lives, to know what great competitors they are. And although all parents are very, very strong supporters of their children, Robin Boaen is certainly a great enthusiastic parent from the stands, and Kevin Jackson, who is Elizabeth's father, is also very, very vocal and loud as a parent. And I always say if you are going to go to one of these games, you do not want to be sitting in between Kevin Jackson and Robin Boaen because they will be calling every shot from the stands.

But it takes great parents to have great athletes, and both these young ladies are blessed to have parents who are supportive, and getting them there through those tough moments and the long practices and the long drives across the State of Georgia to go to some of those games. So I applaud the efforts of the families and Elizabeth and Morgan.

And I want to say that I am sure in the next few years they will be playing college-level soccer, and we will be hearing about them regionally and nationally in the years to come.

JACKSON SET UP SVA FOR SUCCESSFUL SEASON

When Elizabeth Jackson takes the center of the soccer field, she expects to be heckled.

The 5-foot-1 midfielder knows sooner or later she'll win a 50/50 ball against a smaller girl.

That player will end up on the ground looking to officials for relief.

Parents follow by blaming Jackson for the next series of grass stains.

Fair play or not, she is the one viewed as dirty.

"I'm a very aggressive player," Jackson said. "When I step on the field it's game time. I don't play around. I go for the ball. I don't care who the player is."

Conversely, coaches and opponents immediately recognize the girl nicknamed "E.J." by her St. Vincent's teammates.

Not just because of how Jackson goes after the soccer balls but what she does with them at her feet.

At. St. Vincent's this season, the junior emerged as the communicator, the workhorse, the power and the playmaker for the Saints (15–1–2).

She merged the talents of a speedy defense behind her and a precise offense in front.

Her efforts helped the Saints move forward to the Class AAA semifinals and earned Jackson 2005 All-Greater Savannah Area Girls' Soccer Player of the Year honors.

"She didn't go out and plow through everybody," said Sister Pat Coward, who coached St. Vincent's with Andy Kaplan. "She listened, analyzed her opponents and figured out what she had to do (to make the play0."

Her teammates responded.

Midfeleder Morgan Boaen, for instance, signaled Jackson again and again this season with a click of her right hand. Her index finger pointed straight to goal.

"She would put her hand up and that was my key," Jackson said. "I'd put it right where she wanted it."

With just one or two touches, Jackson could move the ball from her skilled fullbacks to the midfield.

Her teammates would bounce passes back and forth as though parts of a pinball machine.

If Jackson wasn't delivering the breakthrough chip or through ball, she directed the players who did.

The Saints facilitated goals and wins off the well-scripted plays.

Boaen ended the year as the statistical leader of the Saints' offense with 20 assists. Jackson initiated many of those connections.

"This is my role on the team," she said. "I don't care if I'm not the finisher."

Her chief heckler did mind for a time, though.

Jackson's father, Kevin, a former University of Georgia football player, used to wonder about his daughter's style.

No doubt he roared a wish or two from the sidelines that she would "Shoot!"

"All I ever wanted her to do was score," Kevin Jackson said. "I'd say, 'You didn't have a good game because you didn't score any goals.' Then you realize there is so much more to it."

Many more people likely realized the thrust of Jackson's talent this season.

She didn't just put down opponents.

She set up St. Vincent's.

"What would we have been like without Elizabeth?" Coward asked, rhetorically. "Who would know? Game after game we never took her out. We never tried it."

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.

□ 1800

CENTRAL AMERICA FREE TRADE AGREEMENT

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

Mr. DEFAZIO. Mr. Speaker, it has been a little over a year since the Bush administration secretly negotiated a trade agreement called CAFTA, and we had heard that they were going to bring it before the Congress before the Memorial Day break. Of course, that did not happen, and now it appears it will not happen before the Independence Day break because they simply have not been able to twist enough arms to get enough Members of Congress to vote against the interest of the American economy, the American workers and their own constituents.

This is potentially a turning point in trade policy for the United States. The statistics are staggering. Last month we recorded a $56.96 billion trade deficit; that is, that we borrowed almost $2 billion a day from foreign interests, foreign governments, in the case of China, to finance consumption of goods produced overseas often with U.S. capital, often by jobs that were formerly filled by Americans here in the United States of America.

Now, if you use the broadest measure of the Department of Commerce, that means that is about 7 million jobs; that sort of a trade deficit on an annual basis means a loss of 7 million jobs. It means the undermining of our industrial base. And increasingly, it means the loss of some of our most sophisticated, highest-technology jobs and manufacturing in the United States of America.

This is simply not a sustainable policy, but the reaction of this administration is this is working exactly as planned. It is making a few multinational corporations and a few others very wealthy. So what if we have lost millions of jobs? So what if the United States of America is going in hock to China and Japan and other countries? They think it is working just fine, exactly as intended, so-called free trade.

So they want to extend our failed NAFTA agreement, which has contributed mightily to this deficit, the agreement with Mexico and Canada which promised to bring 800,000 jobs to the United States and instead caused us to lose a million jobs, mostly to Mexico. They want to extend that throughout Central America so that some companies might not have to go as far as China to find exploitable labor who will work for $0.25 an hour or less, oppressed by the governments, not allowed to organize, working in unsafe conditions. But until now, Congress is holding firm, and that is good news. And the American people should be contacting their Representatives and their Senators.

I was very disappointed to see both Senators from my State, a State which has lost a lot of jobs because of NAFTA and these free trade policies, vote to endorse a continuation or acceleration of these failed policies in committee in the Senate just yesterday. But they are not listening to the people of Oregon and the people of America. I am, and a majority of House is today.

So let us make them continue to listen, let us continue to speak out, and let us break the cycle of failed trade policies and begin to work for trade policy that brings and keeps quality jobs, manufacturing jobs, high-technology jobs, high-paying jobs, jobs with good benefits home here in the United States of America.

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

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

EXCHANGE OF SPECIAL ORDER TIME

Mr. BRADLEY of New Hampshire. Mr. Speaker, I rise to claim the time of the gentleman from Minnesota (Mr. GUTKNECHT).

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

There was no objection.

HONORING WENTWORTH CHESWILL

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

Mr. BRADLEY of New Hampshire. Mr. Speaker, I rise today to pay tribute to Wentworth Cheswill, the founding father of Newmarket, New Hampshire.

On June 25, descendents of Wentworth Cheswill will gather in Newmarket to pay tribute to him and his contributions to the town of Newmarket. Wentworth served his town in varied capacity every year from 1768 to 1817, including terms as town selectman, justice of the peace and town assessor. During the Revolutionary War, Wentworth acted as the town's messenger, delivering messages between Exeter and Newmarket in a duty quite similar to Paul Revere's. As the town scrivener, he hand-copied the town's records, which date back to 1727. These town records remain a part of Newmarket Historical Society's collection.

Born on April 11, 1746, in Newmarket, the son of Hopestill March and Catherine Kennison Cheswill was named in honor of Governor Wentworth. Two accounts describe him as ''colored'' as it was reported that his grandfather, a former slave named Richard Cheswill, had married a daughter of the Wentworths of Portsmouth. This union was considered a disgrace to the Wentworth family, who sent them away to the woods of New Hampshire. It is in part because of his African American lineage that Wentworth truly stands out as a leader in diversity and equality in my State of New Hampshire.

In 1768, Wentworth became active in Newmarket town affairs at the age of 22. His first appointed position was as justice of the peace that same year, and he went on to serve as town auditor, coroner and moderator.

The Massachusetts Historical Society has in its collection a document that is thought to be the earliest archaeological report from New Hampshire. Coauthored by Mr. Cheswill, this report was later sent to the Reverend Jeremy Belknap of Boston to be included in his history of New Hampshire. The undated document is believed to be written in 1790 or 1791 and details the aboriginal artifacts and relics he had recovered in the area surrounding Newmarket.

Many historians agree that Wentworth's writing contains the seeds of modern archaeological theory. Despite the limited scope of Wentworth's writing, scholars defend his title as New Hampshire's first archaeologist.

Wentworth stands for all we admired about our Founding Fathers, integrity, dedication and resolve. Wentworth's legacy has gone uncelebrated for far too long. It is due to the hard work of his descendants and Mr. Rich Alperin, president of the Newmarket Historical Society, that his contributions have finally come to light. I thank everyone for their involvement in restoring Wentworth's legacy to its rightful place in New Hampshire history.

HONORING THE LIFE OF ARMY SERGEANT FIRST CLASS NEIL ARMSTRONG PRINCE

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

Mr. CUMMINGS. Mr. Speaker, I rise today to pay tribute to a fallen hero, Sergeant First Class Neil Armstrong Prince, who grew up in my district in Baltimore, Maryland.

This brave 35-year-old Army sergeant was killed on June 11 in Al Taqaddum, Iraq, after a roadside bomb exploded near his vehicle.

Sergeant Prince's convoy was traveling to another city in Iraq when it encountered several improvised bombs. The first bomb did not injure anyone, but as the convoy stopped to secure the area, two more bombs exploded. The last bomb detonated directly under Sergeant Prince's vehicle, killing him and 22-year-old Specialist Casey Byers of Schleswig, Iowa.

Sergeant Prince was assigned to the 2nd Battalion, 17th Field Artillery Regiment, 2nd Brigade, 2nd Infantry Division in Fort Carson, CO. Mr. Speaker, as a committed member of the United States Army for nearly 16 years, he demonstrated his unyielding courage and strong sense of patriotism in serving this country.

I offer my deepest condolences to his family during this time. I, along with the other members of the Maryland Federal delegation, mourn their loss.

Our prayers are with his wife Suzette; his 4-year-old son Jordan; his parents Cecil and Olive Bailey; his brother Aldean Lindo; and three sisters, Ann-Marie Richards, Ava, and Shane Prince.

Sergeant Prince was one of Maryland's finest citizens. I did not know him personally; however, we share an inseparable bond as graduates of Baltimore City College High School. It was at City College where Sergeant Prince decided to pursue a career in the military. He wanted to serve his country and give something back to a Nation that had given so much to him.

Sergeant Prince took his job as a member of our armed services very seriously. It is evident that he accepted each challenge with valor and dignity, regardless of the inherent dangers involved.

While he was in Korea last year, a sergeant in another unit with the same job had a back injury, and Sergeant Prince was assigned to replace him when that unit was deployed to Iraq.

This brave young American knew of the perils of the high-risk areas into which was being sent, but he was proud to be a soldier. He was proud that, by serving in the United States Army, he was not only making a better life for himself, but he was trying to make a better life, a safer life for us all.

When his family expressed justifiable concerns about his safety in Iraq, Sergeant Prince responded with the quiet confidence that defined him. He said, ''That is what I joined the Army to do. It is simply my job.''

Mr. Speaker, the deadly consequences of war are a reality that we must all face. However, the knowledge of what may happen in war does little to diminish the pain, the anguish when that reality reaches your front door.

Sergeant Prince had three loves in his life: his wife, his son, and his sports. Needless to say, his wife and son will miss him immensely. How do you comfort a wife who has lost her lifelong partner, confidant and friend? How do you calm the fears of a 4-year-old boy who must now come to terms with the fact that his father will never return home? And when young Jordan Prince scores his first touchdown or hits his first home run, his dad will not be in the stands to cheer him on to victory. Jordan has lost his father, the one who is supposed to teach him how to become a man.

Perhaps there is no consolation for a loss so deep. However, there are memories to help ease the pain. This Maryland family has the memories of a man who loved them dearly and loved being a soldier. He had a vision for his life and followed that vision with intensity.

Many of us who are blessed with longevity will spend years upon years never feeling fulfilled and never doing what we were born to do. There is comfort in knowing that during his brief stay on this Earth, Sergeant Prince lived a life of purpose.

Finally, there is little doubt that his parents named him for the famous astronaut Neil Armstrong because they wanted him to be a part of a legacy of bravery and triumph. They hoped his achievements would pierce the stratosphere and reach out onward to the Moon, just like the astronaut before him. There would be no limit to Sergeant Prince's potential in this country.

They were right. Neil Armstrong Prince reached for the stars. Like all of our men and women in armed services, his courage and his commitment to the defense our great country were almost not earthly.

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.)

CENTRAL AMERICAN FREE TRADE AGREEMENT

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

Mr. BROWN of Ohio. Mr. Speaker, 1 year and 1 month ago, President Bush signed the Central American Free Trade Agreement, a cousin of the North American Free Trade Agreement, which would extend the same NAFTA-type trade provisions to six countries, five in Central America and the Dominican Republic.

Unlike every other trade agreement which President Bush has signed, Morocco, Chile, Singapore and Australia, which were signed and voted on by Congress within 60 days, the Central American Free Trade Agreement has simply languished in the halls of Congress. The President has not brought it forward to vote on, in large part because the people of this body, a majority of the Members of Congress, will not vote for it. And here is why.

It is pretty clear, Mr. Speaker that our trade policy is not working. In 1992, the year I ran for Congress, we had a $38 billion trade deficit, meaning we sold $38 billion less than we imported, exported less than we imported. $38 billion. Today, or 2004, that number had increased to $618 billion, from $38 billion to $618 billion in a dozen years.

Mr. Speaker, maybe that is just numbers, but when you look at the trade deficit, and you know what it means, it has meant in large part a huge loss of manufacturing jobs. Just in the last 6 years these States in red have all lost at least 20 percent of their manufacturing. Michigan, 210,000; Ohio, 216-; Illinois, 224-; Pennsylvania, 200-; Mississippi and Alabama 130,000; North Carolina, 228,000. States in the purple here, dark blue, purple, have lost 15 to 20 percent of their manufacturing jobs.

It is clear, Mr. Speaker, that our trade policy is not working. Now, because of that and because the President cannot get nearly enough votes to pass the Central American Free Trade Agreement, they have begun to negotiate side deals, and they have promised bridges and highways as they did in 2001 on the last big trade vote in this Congress, something called trade promotion authority. They have promised to change CAFTA and do something down the road. Trust us, vote for it, and then we will make some provisions later down to help sugar, help textile, to help the steel industry, to protect jobs, to perhaps bring up living standards in Central America.

The latest promise that they have made is to offer $20 million for enforcement of labor standards. This is the same administration that has cut labor standards in the United States and has dropped the funding for the Department of Labor's Bureau of International Labor Affairs from $148 million 4 years ago down to 12 million. They want to put $20 million back.

□ 1815

We can play with numbers, but the fact is the enforcement of labor standards in Central America is basically nonexistent under CAFTA and under the President's plans.

At the same time, the International Labor Organization sets standards agreed on by all countries around the world to lift up labor standards so that workers can make a decent wage, that workers can bargain and organize collectively. The ILO standards prohibit child labor, prohibit forced labor, all the kinds of values that we in this country share with our colleagues and our workers in our families. With all of that, the administration is one of only two countries out of 80 in the world that is not fully supporting the ILO and what it wants to do in Geneva with its funding, with its programs, with all that.

So it is pretty clear, Mr. Speaker, that the $20 million offer to support labor standards is just a fig leaf to try to convince a few Members of Congress to vote for the Central American Free Trade Agreement.

While all those deals have been going on, Mr. Speaker, a group of us had a rally today at the Cannon building in Washington, a group of legislators from the United States and a group of legislators from Central America. They rallied against the Central American Free Trade Agreement, not to kill it but to defeat this Central American Free Trade Agreement and come back with a better Central American Free Trade Agreement that protects the environment, that helps working people in both countries. All of us together have called on Congress to pass a better Central American Free Trade Agreement.

These legislators from our country and from seven countries in Central America and Latin America understand that this CAFTA protects drug companies while harming the sick and the poor. They understand this CAFTA protects the world's largest corporations while hurting small businesses and working families. They understand this trade agreement protects huge industries while undermining the environment.

They understand that they want and have called for a CAFTA that lifts workers up and raises living standards, a CAFTA that protects people the same way it protects property rights and the drug industry, a CAFTA that allows HIV patients access to affordable, life-saving drugs.

They understand, most importantly, that CAFTA was negotiated by a select few to benefit only a select few, not the masses of people in our country and the other six CAFTA countries.

It is past time to renegotiate a trade agreement that works for all citizen of all seven CAFTA Nations.

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

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

SMART SECURITY AND THE BRIDGE TO NOWHERE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the Defense appropriations bill that will be on the House floor tomorrow contains $45 billion in emergency bridge funding to pay for the war in Iraq and Afghanistan.

This money is called bridge funding because it will bridge the funding gap between the most recent $79 billion supplemental spending bill for Iraq, which Congress passed in February, and the next one, sometime this fall.

This bridge fund is like a bridge to nowhere. The latest $45 billion for the war in Iraq is just the Bush administration's latest grab into the big congressional money bag, the Defense appropriations bill, because it is virtually hidden in a huge $400 billion Defense appropriations bill. This is outrageous.

An additional $45 billion for the war in Iraq is a staggering amount. This bridge fund comes on top of the emergency supplemental bill that was approved a mere 4-months ago, allocating another $79 billion for the war, bringing the costs of the war to over $200 billion before this new $45 billion expenditure.

The bridge fund represents the fifth time Congress will fund the war in Iraq without hearings, without oversight and without accountability.

$45 billion is not insignificant. It is several billion dollars more than the President requested for homeland security funding for fiscal year 2006. In fact, it is more than the President has requested for homeland security in any year since the Department of Homeland Security was established in the year 2001.

It would be one thing if the President actually had a plan to bring our troops home, but after more than 2 years and over 1,700 American troops being killed, he still has not come to the table with a plan. Mr. Speaker, since the President will not come up with a plan for Iraq, we will have to. It will have to come from the Congress.

This unpopular war is a lose-lose. It is America's very presence in Iraq that unites the strong insurgency, a whole new generation of terrorists, whose common bond is their hatred for the United States and its aggressive militarism.

Once we have a plan in place to end the war, we can begin the long process of helping Iraq rebuild its failing physical and economic infrastructure, and we can accomplish this while we are at the same time preventing future wars through SMART security.

SMART security, which has the support of 50 Members of Congress is a Sensible, Multilateral, American Response to Terrorism for the 21st Century, and it will help us address the threats we face as a Nation.

SMART security will ensure America's security by reaching out and engaging the Iraqi people. Instead of rushing off to war for the wrong reasons, SMART security encourages the United States to work with other Nations to address the most pressing global issues.

Not every international problem has militaries, and that is why SMART security will prevent terrorism, by addressing the very conditions which give rise to terrorism: poverty, despair, resource scarcity and lack of education.

This is the best way to encourage democracy in countries like Iraq, not through wars, not through the barrel of a gun, not through ways that cause thousands of unnecessary deaths and costs billions and billions of dollars.

The Bush administration needs to get smart about Iraq, and take a long, hard look at the effects of our policies there. We can end the war, we can bring our troops home, and we can do it by creating a plan to bring them home.

The U.S. soldiers who are serving in Iraq deserve nothing less. Bringing the troops home will help secure Iraq. It will save the lives of thousands of Americans, and it is time that we do not put any other excuses in front of us because we must start this process, and we must start it today.

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

(Mr. BRADLEY of New Hampshire addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

VENDING MACHINE SAFETY ACT OF 2005

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

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise today to recognize the introduction of a bill that I dropped in yesterday, the Vending Machine Safety Act of 2005. This is a bill I introduced three Congresses ago due to its importance in protecting our children.

Imagine going on a routine grocery shopping trip with your child, Mr. Speaker. While shopping, you suddenly notice that your child is missing. This is every parent's nightmare. Last month, this nightmare became a frightening reality for a mother in Indiana. However, in this incident, there was a twist.

Her 3-year-old child was found trapped in a crane vending machine that he had crawled into. Without safety measures and immediate access to the owner, the machine held the young boy captive until the local fire department was brought in to release him.

While this event was not life-threatening, about one-third of vending machine injuries reported since 1978 have been. In the interest of protecting both children and adults, it is the reason I introduced the Vending Machine Safety Act.

This Vending Machine Safety Act of 2005 directs the Consumer Product Safety Commission to issue a consumer product safety standard for the manufacturing and installation of all vending machines. Whether in signage or further protective measures, the Consumer Product Safety Commission will report on how best to ensure the safety uses of these vending machines that are both cost-effective for manufacturers and protect the stores from liability.

Since 1990, 43 vending machine injuries have been reported to the Consumer Product Safety Commission. Almost 60 percent of these vending injuries involved minors, and almost 35 percent of the injuries were children under 10. While some vending machine manufacturers may place warnings on their machines, most do not.

The need to protect our children from further vending machine related injuries is clear. I ask my colleagues to support the Vending Machine Safety Act of 2005.

HENRY HYDE UNITED NATIONS REFORM ACT OF 2005

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 60 minutes as the designee of the majority leader.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to thank the leadership for arranging this time and affording me the possibility, the opportunity to discuss with the American public an important piece of legislation that we will be considering here in this body, the Henry Hyde United Nations Reform Act of 2005.

As we can see, Mr. Speaker, the United Nations Reform Act has three basic policies. It is going to have oversight, accountability, and it is going to cut bureaucracy.

Why is it that we need to do that? Because the United Nations has a history of scandals, starting with what we all know is the Oil For Food program, but going on in a litany of scandals, one right after the other. There is virtually no U.N. agency or body that has not been mired in scandal.

So the Henry Hyde United Nations Reform Act is going to mandate United Nations budget oversight. It is going to insert accountability and ethics into the U.N. It is going to reform the U.N. Commission on Human Rights. It is going to strengthen the International Atomic Energy Agency, and it is going to provide accountability in the peacekeeping operations.

In addition to all of that, it also addresses in one of the amendments that will be proposed tomorrow a problem that Donald Trump has been very interested in. The United Nations is now asking for an incredible amount of money in order to refurbish their facilities in Turtle Bay in New York City, and as Donald Trump said, the United Nations is a mess and they are spending hundreds of millions of dollars unnecessarily on this project.

It is time to reform the United Nations once and for all, and as I said, tomorrow the House will be considering a bill that aims to institute long overdue United Nations reform by shedding light on the fact that the numerous scandals that have characterized the United Nations over the past decade are no accident. Rather, they are a direct result of a flawed structure that gives rise to passing the buck at best and corruption, profiteering and collusion at worst.

The basic structure of the United Nations is broken, and it must be transformed to ensure transparency and that this world body is functioning with integrity.

The United Nations Reform Act of 2005 strategically targets crucial areas to restore this broken organization.

The goals that enshrine the United Nations charter, particularly those regarding international peace and security and the promotion of respect for fundamental human rights, have never been more significant.

Further, with the challenges of the United States and our allies that we are facing in the war on terror, there is an urgent need for an international organization that is both credible and effective, one that can work together with national governments in dealing with concrete problems of terrorism and, most importantly, nuclear proliferation.

As we learned to our horror on September 11, lives, not simply policies, are at stake in our efforts to reform the United Nations and its entities. Take the International Atomic Energy Agency for example. As it is currently structured, the membership criteria allows countries who are suspected of breaching their safeguards obligations, it allows them to serve in leadership positions within the agency.

For example, Iran, a Nation that continues to be under investigation for breaches and failures of its safeguards obligations and has admitted purchasing illicit nuclear materials through the A.Q. Khan nuclear black market network, recently served on the Board of Governors of the International Atomic Energy Agency.

Furthermore, this agency also needs a well-designed system to deter States from both developing nuclear weapons capabilities and colluding with terrorists by diverting nuclear material from the State's national program for terrorist use.

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The section in the Henry Hyde U.N. Reform Act dealing with the International Atomic Energy Agency, reinforces U.S. priorities concerning the safety of nuclear materials and counterproliferation by, one, calling for U.S. voluntary contributions to the agency to be primarily used to fund activities relating to nuclear security or nuclear verification and inspections; two, it seeks to prioritize funding for inspections to focus on countries of proliferation concern; and, thirdly, by seeking to prevent proliferators and countries under the International Atomic Energy Agency investigation from benefiting from certain assistance programs.

Furthermore, it seeks the suspension of privileges for member states that are under investigation or are in breach or are in noncompliance of their obligation. And it seeks to establish membership criteria that would keep such rogue states, such as Iran, that I just discussed, and Syria from serving on the Board of Governors of the International Atomic Energy Agency.

The IAEA section of this bill reinforces our U.S. priorities concerning the safety of nuclear materials and counterproliferation. So we are going to make sure that we can close those loopholes.

I was proud to work with the gentleman from Illinois (Mr. KIRK) on an amendment that he will be offering, along with the gentleman from New Jersey (Mr. ANDREWS), tomorrow on the Small Quantities Protocol. I urge my colleagues to support this amendment because we want to close this loophole from the inspections regime by calling for the International Atomic Energy Agency to rescind the Small Quantities Protocol.

I also urge strong support for an amendment that our distinguished chief deputy majority whip, the gentleman from Virginia (Mr. CANTOR), will be offering containing punitive measures against those members of the International Atomic Energy Agency that provide assistance to Iran before it dismantles its nuclear program.

And let me turn to the anti-Israel and anti-Semitic incitement that occurs every day at the United Nations. The discrimination against Israel is another structural and, indeed, a cultural issue that must be addressed. The viciousness with which Israel continues to be attacked at the U.N., and the reluctance of the member states to defend Israel or to accord it the same treatment as other states, suggests that there are considerable anti-Semitic components behind the policies pursued in the United Nations' forums.

In addition to the multiple manifestations of anti-Semitism at the U.N., Israel's temporary membership status in the Western European and Others Group is extremely limited. Israel cannot present candidates for open seats in any U.N. body, it cannot compete for any major U.N. body seat, it cannot participate in U.N. conferences on human rights, on racism, and on many other issues. And despite this gross discrimination directed against Israel, there are several U.N. groups dedicated solely to Palestinian rights and there is a disproportionate representation of Palestinian issues in different committees and in various commissions.

The U.N. Reform Act of 2005 seeks to end this discrimination against Israel. What will it do? It will expand WEOG, the Western European and Others Group, to include Israel as a permanent member, not a temporary member. It will mandate a State Department review of all U.N. commissions, all U.N. committees, all offices focused solely on Palestinian issues in order to eliminate duplicative efforts. Further, it will withhold proportional U.S. contributions to the U.N. until these recommendations are implemented.

I am also working with my colleagues on amendments to the Henry Hyde United Nations Reform Act. For example, we are calling for the issuance and implementation of a directive by the U.N. Secretary General or the Secretariat to establish a series of requirements to fight anti-Semitism at the U.N. and to ensure that all entities and efforts that promote the Palestinian agenda and perpetuate an anti-Israel bias on Israeli-Palestinian issues are addressed here in this bill.

The scandals that have plagued the U.S. peacekeeping missions is another important component of this bill, and it is indicative of wider structural deficiencies that must be addressed and are addressed in this bill. Even one instance of this terrible crime is appalling and unacceptable; but, unbelievably, over the past decade their appearance is frequent.

Crimes involving sexual misconduct on the part of U.N. staff is yet another example of the ways the U.N. is unfit to operate in its current state and must be reformed at all costs to restore its integrity and its authority. In the Congo, Burundi, and Sierra Leone, U.N. peacekeepers have reportedly engaged in gross sexual misconduct, exploitation, and even systematic rape.

In Bosnia, the U.N. police mission has been accused of corruption as well as sex trafficking. But thus far the U.N. has squashed an investigation into the involvement of its police in the enslavement of Eastern European women in Bosnia in brothels.

The U.N. Reform Act of 2005 specifically includes provisions to deter the most egregious instances of sexual misconduct that have occurred in recent years. Specifically, we will be mandating the adoption of the minimum standards of qualifications for senior leaders and managers.

Furthermore, the bill will have an adoption of a Uniform Code of Conduct for all U.N. peacekeepers. Also, the institution of educational outreach programs designed to explain prohibited acts on the U.N. peacekeepers to local populations, and providing a means for them to direct complaints or allegations of abuse. And it will establish a permanent professional and independent investigative body dedicated to U.N. peacekeeping.

The U.N. mismanagement of contracts and administration in the Oil-for-Food program is yet another problem that we have seen; and this, combined with Saddam Hussein's abuse of the program through vouchers, surcharges, and kickbacks, enabled the Iraqi regime to make a mockery of the program that was ostensibly set up to help its suffering people by collecting an estimated $20 billion while the U.N. refused to intervene.

Similar scandals have rocked the United Nations in the recent past. Notable examples are in 1995, the Kenya UNICEF office defrauded or squandered up to $10 million in agency funds. In 1996, a senior official was investigated on suspicion of embezzling between $200,000 and $600,000. In 1997, 16 past or current UNDP employees were placed under investigation after more than $6 million was found to have been siphoned off over an 8-year period.

These acts did not occur in a vacuum, but were rather part of a pattern of systematic financial mismanagement and corruption that have been going on for too many years. The Henry Hyde U.N. Reform Act of 2005 has built-in budget certification requirements and accountability provisions that include holding the Secretary General accountable for certifying that the U.N.'s biannual budget is maintained at the approved level.

By requiring transparency within the U.N. budget, creating an Office of Internal Oversight Services, and an Office of Ethics, we ensure that no one in the United Nations, from the most senior officials to the low-ranking employees, will be above the law.

There will be many amendments offered that will help to further strengthen this bill, amendments such as the one that I have had the pleasure of working on with my friend and colleague, the gentleman from Michigan (Mr. MCCOTTER). He is addressing a problem that we have with Syria.

Syria's continuing presence in Lebanon is in violation of the United Nations Security Council 1559 and other applications of international law. This is a test of the effectiveness of the U.N. and a test of the willingness of its leadership to ensure full compliance with U.N. mandates in order to prevent a rogue state, such as Syria, from making a mockery of U.N. Security Council resolutions.

Syria continues to maintain a sizable intelligence presence in Lebanon, and it has recently mobilized to mount an assassination campaign against anti-Syrian-Lebanese political figures. Both Syria and Iran also continue to arm their military proxy, the terrorist group Hezbollah. Absent substantial international pressure, Syria will continue to proceed with its campaign aimed at destabilizing Lebanon's internal affairs in clear violation of the United Nations Security Council Resolution 1559 and in breach of international law.

The McCotter amendment, cosponsored by another great freedom fighter, the gentleman from New York (Mr. ENGEL), calls on the U.S. permanent representative to ensure full implementation of the United Nations Security Council Resolution 1559, particularly relating to the presence of Syrian security and intelligence personnel and the disarming of Hezbollah and other militias. If compliance is not verified and certified, it calls for an adoption of a resolution by the United Nations Security Council to impose punitive measures on Syria and other foreign forces, such as Iran, who directly, or through their proxies, are interfering with Lebanese political independence and sovereignty.

I am also working with my colleagues on an amendment that calls for the establishment of a U.N. Democracy Fund, and this will assist countries that are emerging democracies or democracies in transition. I request the support of all of our colleagues in this Chamber for these amendments as well as for the underlying bill.

Mr. Speaker, just as the United States took the lead in forging the creation of the United Nations in the aftermath of World War II, we must lead the organization toward greater relevance and capability in this new era. The United States has waited patiently as the United Nations has paid lip service to nominal efforts to reform itself.

Tomorrow, I strongly urge my colleagues on both sides of the aisle to vote in favor of this amendment and this measure, and, in effect, save the U.N. from itself. So I urge all our colleagues to vote in a bipartisan manner and pass the Henry Hyde U.N. Reform Act of 2005.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUELLAR (at the request of Ms. PELOSI) for today and the balance of the week on account of family medical reasons.

Mrs. BONO (at the request of Mr. DELAY) for today after 3:30 p.m. and the balance of the week on account of attending her daughter's graduation.

Mr. HYDE (at the request of Mr. DELAY) for today on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DEFAZIO) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

(The following Members (at the request of Ms. ROS-LEHTINEN) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, June 22.

Mr. BRADLEY of New Hampshire, for 5 minutes, today.

Mr. POE, for 5 minutes, June 16.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on June 9, 2005 he presented to the President of the United States, for his approval, the following bill.

H.R. 1760. To designate the facility of the United States Postal Service located at 215 Martin Luther King, Jr. Boulevard in Madison, Wisconsin, as the ''Robert M. La Follette, Sr. Post Office Building''.

ADJOURNMENT

Ms. ROS-LEHTINEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 43 minutes p.m.), the House adjourned until tomorrow, Thursday, June 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:

2355. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Updating Generic Pesticide Chemical Tolerance Regulations [OPP-2003-0176; FRL-7706-9] received June 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2356. A communication from the President of the United States, transmitting notification of the intention to reallocate funds previously transferred from the Emergency Response Fund; (H. Doc. No. 109–33); to the Committee on Appropriations and ordered to be printed.

2357. A communication from the President of the United States, transmitting a request for a FY 2006 budget amendment for the Department of Justice and the General Services Administration; (H. Doc. No. 109–34); to the Committee on Appropriations and ordered to be printed.

2358. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

2359. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Martin R. Berndt, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2360. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting information submitted to the Base Closure and Realignment Commission, pursuant to Public Law 101–510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

2361. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Qatar pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

2362. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Republic of Korea (South Korea) pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

2363. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Regulation NMS [Release No. 34-51808; File No. S7-10-04] (RIN: 3235-AJ18) received June 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2364. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Redesignation of the New Manchester-Grant Magisterial District SO_2 Nonattainment Area and Approval of the Maintenance Plan [R03-OAR-2004-WV-0003; FRL-7922-1] received June 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2365. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Control of Emissions of Air Pollution from New Motor Vehicles: In-Use Testing for Heavy-Duty Diesel Engines and Vehicles [OAR-2004-0072; AMS-7922-4] (RIN: 2060-AM17) received June 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2366. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Louisiana: Final Authorization of State Hazardous Waste Management Program Revision [FRL-7922-8] received June 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2367. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Arizona State Implementation Plan, Maricopa County Environmental Services Department [AZ 137-0089; FRL-7912-4] received June 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2368. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revision of December 2000 Regulatory Finding on the Emissions of Hazardous Air Pollutants from Electric Utility Steam Generating Units and the Removal of Coal—and Oil—Fired Electric Utility Steam Generating Units From the Section 112(c) List [OAR-2002-0056; FRL-7921-5] (RIN: 2060-AM96) received June 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2369. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Test Procedures for Testing Highway and Nonroad Engines and Omnibus Technical Amendments (RIN: 2060-AM35) received June 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2370. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Prevention of Significant Deterioration (PSD) and Non-attainment New Source Review (NSR): Equipment Replacement Provision of the Routine Maintenance, Repair and Replacement Exclusion: Reconsideration [FRL-7923-3; E-Docket ID No. OAR-2002-0068] (RIN: 2060-AM58) received June 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2371. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Texas: Final Authorization of State Hazardous Waste Management Program Revision [FRL-7924-1] received June 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2372. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

2373. A letter from the General Counsel, District of Columbia Retirement Board, transmitting the personal financial disclosure statements of Board members, pursuant to D.C. Code section 1–732 and 1–734(a)(1)(A); to the Committee on Government Reform.

2374. A letter from the General Counsel, District of Columbia Retirement Board, transmitting a supplement to the personal financial disclosure statements of a Board member, pursuant to D.C. Code section 1–732 and 1–734(a)(1)(A); to the Committee on Government Reform.

2375. A letter from the Secretary, Department of Homeland Security, transmitting the semiannual report of the Inspector General for the period October 1, 2004 through March 31, 2005, pursuant to Public Law 95–452, section 5; to the Committee on Government Reform.

2376. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2377. A letter from the Inspector General, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period October 1, 2004 through March 31, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(d); to the Committee on Government Reform.

2378. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations: Mitchell River, MA [CGD01-05-006] (RIN: 1625-AA09) received June 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2379. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations: Kennebec River, ME. [CGD01-05-034] (RIN: 1625-AA09) received June 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2380. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations: Housatonic River, CT. [CGD01-05-028] (RIN: 1625-AA09) received June 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2381. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30443; Amdt. No. 3120] received June 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2382. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30442; Amdt. No. 454] received June 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2383. A letter from the Administrator, Environmental Protection Agency, transmitting a report on the status and effectivenes of the Coastal Wetlands Conservation Plan for the State of Louisiana, pursuant to Public Law 101–646, section 304(h)(2); jointly to the Committees on Resources and Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Rules. House Resolution 319. Resolution providing for consideration of the bill (H.R. 2745) to reform the United Nations, and for other purposes (Rept. 109–132). Referred to the House Calendar.

Mr. OXLEY: Committee on Financial Services. H.R. 68. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration and the Jet Propulsion Laboratory; with an amendment (Rept. 109–133 Pt. 1). Ordered to be printed.

Mr. OXLEY: Committee on Financial Services. H.R. 358. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of desegregation of the Little Rock Central High School

in Little Rock, Arkansas, and for other purposes; with an amendment (Rept. 109–134 Pt. 1). Ordered to be printed.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. OXLEY: Committee on Financial Services. H.R. 68. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration and the Jet Propulsion Laboratory, with an amendment; referred to the Committee on Ways and Means for a period ending not later than June 17, 2005, (Rept. 109–133, Pt. 1). Ordered to be printed.

Mr. OXLEY: Committee on Financial Services. H.R. 358. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, and for other purposes, with an amendment; referred to the Committee on Ways and Means for a period ending not later than June 17, 2005, (Rept. 109–134, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BAKER (for himself, Mr. MCCRERY, Mr. JEFFERSON, Mr. ALEXANDER, Mr. JINDAL, Mr. BOUSTANY, and Mr. MELANCON):

H.R. 2903. A bill to provide protection, conservation, and restoration of the wetlands, estuaries, barrier islands, and related land and features in the Lousiana coastal area, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 2904. A bill to amend the Internal Revenue Code of 1986 to allow a credit against the income tax for an owner of a radio broadcasting station which donates the license and other assets of such station to a nonprofit corporation for purposes of supporting nonprofit fine arts and performing arts organizations, and for other purposes; to the Committee on Ways and Means.

By Mr. MICA:

H.R. 2905. A bill to amend title 49, United States Code, to require the installation of counter-MANPADS systems on certain passenger aircraft; to the Committee on Transportation and Infrastructure.

By Mr. BISHOP of Georgia:

H.R. 2906. A bill to suspend temporarily the duty on linuron; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 2907. A bill to suspend temporarily the duty on N,N-dimethylpiperidinium chloride; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 2908. A bill to suspend temporarily the duty on diuron; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia:

H.R. 2909. A bill to reduce temporarily the duty on formulated product KROVAR IDF; to the Committee on Ways and Means.

By Ms. BORDALLO:

H.R. 2910. A bill to amend the Radiation Exposure Compensation Act to include the Territory of Guam in the list of affected areas with respect to which claims relating to atmospheric nuclear testing shall be allowed, and for other purposes; to the Committee on the Judiciary.

By Mr. CANTOR (for himself and Mr. TANNER):

H.R. 2911. A bill to amend the Internal Revenue Code of 1986 to modify the active business definition under section 355; to the Committee on Ways and Means.

By Mr. CASE (for himself and Mr. ABERCROMBIE):

H.R. 2912. A bill to reauthorize provisions in the Native American Housing Assistance and Self-Determination Act of 1996 relating to Native Hawaiian low-income housing and Federal loan guarantees for Native Hawaiian housing; to the Committee on Financial Services.

By Mr. CASTLE:

H.R. 2913. A bill to suspend temporarily the duty on Thiamethoxam Technical; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 2914. A bill to suspend temporarily the duty on Triasulfuron Technical; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 2915. A bill to suspend temporarily the duty on Brodifacoum Technical; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 2916. A bill to suspend temporarily the duty on Pymetrozine Technical; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 2917. A bill to suspend temporarily the duty on formulations of Thiamethoxam, Difenoconazole, Fludioxinil, and Mefenoxam; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 2918. A bill to suspend temporarily the duty on Trifloxysulfuron-Sodium Technical; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 2919. A bill to suspend temporarily the duty on diisopropyl succinate; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 2920. A bill to suspend temporarily the duty on 2,4-di-tert-butyl-6-(5-chlorobenzotriazol-2-yl)phenol; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 2921. A bill to suspend temporarily the duty on a mixture of Butanedioic acid, dimethylester, polymer with 4-hydroxy-2,2,6,6-tetramethyl-1-piperidine ethanol and 1,3,5-Triazine-2,4,6-triamine,N,N'' '-[1,2-ethane-diyl-bis [[[[4,6-bis-[butyl (1,2,2,6,6-pentamethyl-4-piperidinyl)amino]-1,3,5-triazine-2 yl] imino]-3,1-propanediyl]] bis]N',N''- dibutyl-N',N''-bis(1,2,2,6,6-pentamethyl-4-piperidinyl)-; to the Committee on Ways and Means.

By Mr. CASTLE:

H.R. 2922. A bill to suspend temporarily the duty on 4-chloro-benzonitrile; to the Committee on Ways and Means.

By Mr. GRIJALVA (for himself and Ms. ROS-LEHTINEN):

H.R. 2923. A bill to improve the literacy and English skills of limited English proficient individuals, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HASTINGS of Florida (for himself, Mr. MOORE of Kansas, and Mr. OWENS):

H.R. 2924. A bill to amend the Internal Revenue Code of 1986 to reduce motor fuel excise taxes during periods of high fuel prices; to the Committee on Ways and Means.

By Mr. HINOJOSA (for himself, Mr. OTTER, Mr. SALAZAR, Mr. SIMPSON, Mr. GRIJALVA, Mr. UDALL of Colorado, and Mr. DOGGETT):

H.R. 2925. A bill to amend the Reclamation States Emergency Drought Relief Act of 1991 to extend the authority for drought assistance; to the Committee on Resources.

By Mr. GEORGE MILLER of California (for himself, Ms. SCHAKOWSKY, and Mr. DEFAZIO):

H.R. 2926. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60; to the Committee on Education and the Workforce.

By Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Mr. TIERNEY, Mr. HOLT, Mr. GRIJALVA, Mr. VAN HOLLEN, Mr. BISHOP of New York, Mr. PALLONE, Mr. CONYERS, Mr. MCDERMOTT, Ms. MCCOLLUM of Minnesota, Mr. OLVER, and Ms. DELAURO):

H.R. 2927. A bill to require the Secretary of Education to rebate lost Pell Grants to students whose Pell Grants were reduced or eliminated because of excess expected family contributions computed in the needs analysis process for student financial aid for academic year 2005-2006; to the Committee on Education and the Workforce, 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. ROTHMAN (for himself, Mr. SIMMONS, Mr. ABERCROMBIE, Mr. ALLEN, Ms. BALDWIN, Ms. BERKLEY, Mr. BERMAN, Mr. BLUMENAUER, Mr. BRADLEY of New Hampshire, Mr. BRADY of Pennsylvania, Mr. BROWN of Ohio, Mr. CARNAHAN, Mrs. CAPPS, Ms. CARSON, Mr. CASE, Mr. CASTLE, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Mr. DINGELL, Mr. ENGEL, Mr. EVANS, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HOLT, Mr. INSLEE, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mrs. JOHNSON of Connecticut, Mr. KENNEDY of Rhode Island, Mr. KIRK, Mr. KUCINICH, Mr. LARSEN of Washington, Mr. LEWIS of Georgia, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCHUGH, Mrs. MALONEY, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. NADLER, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PAYNE, Mr. PRICE of North Carolina, Ms. ROYBAL-ALLARD, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SCHWARZ of Michigan, Mr. SHAYS, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SOLIS, Mr. STARK, Mr. TIERNEY, Mr. TOWNS, Mr. UDALL of Colorado, Ms. WASSERMAN SCHULTZ, Ms. WATSON, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Ms. WOOLSEY, Ms. VELÁZQUEZ, Mr. MILLER of North Carolina, Mr. BOEHLERT, Mr. HONDA, Mr. SCHIFF, Mr. BOUCHER, and Ms. ESHOO):

H.R. 2928. A bill to provide for the provision by hospitals of emergency contraceptives to women who are survivors of sexual assault; 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. WALSH:

H.R. 2929. A bill to amend title 38, United States Code, to provide the same type of vocational rehabilitation benefits and services

under laws administered by the Secretary of Veterans Affairs for certain children with spina bifida as are currently available to veterans with service-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. MANZULLO:

H. Res. 320. A resolution congratulating Danica Patrick on her historic accomplishments in the 2005 Indianapolis 500; to the Committee on Government Reform.

By Mr. LEACH:

H. Res. 321. A resolution expressing the sense of the House of Representatives that the United States should support the regionally balanced expansion of the membership of the United Nations Security Council; to the Committee on International Relations.

By Mrs. MALONEY (for herself, Mr. BILIRAKIS, and Mr. PALLONE):

H. Res. 322. A resolution expressing support for the European Court of Human Rights for its decisions in the Loizidou v. Turkey and Xenides-Arestis v. Turkey cases and for admitting similar cases before the European Court of Human Rights; to the Committee on International Relations.

By Ms. PRYCE of Ohio (for herself, Mr. DREIER, Mrs. MYRICK, Mrs. CAPPS, Mr. ISRAEL, Mr. CANNON, Mr. BACHUS, Mr. SESSIONS, Mr. MCCAUL of Texas, Mr. DOYLE, Mr. SCHWARZ of Michigan, Mr. FITZPATRICK of Pennsylvania, and Mr. BISHOP of Georgia):

H. Res. 323. A resolution supporting efforts to increase childhood cancer awareness, treatment, and research; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 3 of rule XII,

30. The SPEAKER presented a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial No. 1002 memorializing the Congress of the United States to enact legislation that would reform the Endangered Species Act; to the Committee on Resources.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 34: Mr. RANGEL.
H.R. 65: Mr. WAMP.
H.R. 97: Mr. GRIJALVA.
H.R. 98: Mr. GENE GREEN of Texas.
H.R. 111: Mr. FALEOMAVAEGA and Mr. PORTER.
H.R. 153: Ms. CARSON and Mr. ACKERMAN.
H.R. 195: Mr. FITZPATRICK of Pennsylvania.
H.R. 312: Mr. DOYLE, Mr. MCCOTTER, Mr. WEXLER, Mr. PASTOR, and Mr. CUELLAR.
H.R. 408: Ms. MATSUI.
H.R. 510: Mr. PLATTS.
H.R. 583: Mr. HONDA.
H.R. 615: Mr. CLEAVER.
H.R. 676: Mr. TIERNEY.
H.R. 690: Mr. VAN HOLLEN.
H.R. 769: Mr. HOLT.
H.R. 772: Mr. UDALL of Colorado, Mr. KENNEDY of Rhode Island, Mr. PETERSON of Minnesota, and Mr. MILLER of North Carolina.
H.R. 805: Mr. VISCLOSKY.
H.R. 819: Mr. LINDER.
H.R. 827: Mr. SAM JOHNSON of Texas.
H.R. 856: Mr. NORWOOD.
H.R. 865: Mr. HAYES.
H.R. 893: Mr. SCOTT of Virginia.
H.R. 944: Mr. RAMSTAD.
H.R. 994: Mr. WAMP, Mr. NADLER, Ms. VELÁZQUEZ, and Mr. BOREN.
H.R. 998: Mr. MORAN of Kansas.
H.R. 1059: Mr. TIERNEY.
H.R. 1103: Mr. FARR.
H.R. 1124: Mr. KENNEDY of Minnesota and Ms. WASSERMAN SCHULTZ.
H.R. 1176: Mr. BRADLEY of New Hampshire, Ms. GINNY BROWN-WAITE of Florida, and Mr. KUHL of New York.
H.R. 1182: Mr. BACA.
H.R. 1217: Mr. RAHALL.
H.R. 1219: Mr. FRANKS of Arizona.
H.R. 1226: Mr. MCHENRY.
H.R. 1249: Mrs. CAPPS.
H.R. 1272: Mr. RUPPERSBERGER and Mr. MCDERMOTT.
H.R. 1282: Mr. DUNCAN.
H.R. 1288: Mr. PITTS, Mr. HEFLEY, Mr. WELLER, Mr. KANJORSKI, Mr. DOOLITTLE, Ms. HART, Mr. WELDON of Pennsylvania, Mr. GOHMERT, and Mr. REHBERG.
H.R. 1298: Ms. SCHWARTZ of Pennsylvania, and Mr. BRADY of Pennsylvania.
H.R. 1306: Mr. CHOCOLA, Mr. HULSHOF, and Mr. BASS.
H.R. 1335: Mr. SMITH of New Jersey, Mrs. MCCARTHY, Mr. COBLE, Mr. JACKSON of Illinois, Mr. CUNNINGHAM, Ms. KAPTUR, Mrs. KELLY, Mr. MOLLOHAN, Mr. LANTOS, Mr. CLYBURN, Mr. THOMSPON of Mississippi, Mr. HUNTER, Mr. BONILLA, Mr. CARDIN, Mr. HINCHEY, Mr. WELDON of Pennsylvania, Mr. YOUNG of Florida, Mr. WALSH, Mr. GIBBONS, Mr. HAYWORTH, Mr. GILCHREST, Mr. FRANKS of Arizona, Mr. NEAL of Massachusetts, Mr. KILDEE, Mr. SERRANO, Mr. HASTINGS of Florida, and Mr. MCHUGH.
H.R. 1358: Mr. WEXLER.
H.R. 1376: Mr. GUTIERREZ.
H.R. 1382: Mr. WELDON of Florida, Mr. HENSARLING, and Mr. WAMP.
H.R. 1426: Mr. SABO, Mr. BRADY of Pennsylvania, Mr. MORAN of Virginia, and Ms. MCCOLLUM of Minnesota.
H.R. 1468: Mr. ENGLISH of Pennsylvania.
H.R. 1505: Mrs. CAPITO.
H.R. 1549: Mr. KING of New York, Mr. PRICE of North Carolina, Mr. CHANDLER, Ms. HERSETH, Ms. WASSERMAN SCHULTZ, Ms. DELAURO, Mr. GORDON, Mr. PALLONE, Ms. ZOE LOFGREN of California, Mr. FORD, Mrs. KELLY, Mr. BISHOP of Georgia, Mr. RUPPERSBERGER, Mr. BUTTERFIELD, Mr. SIMMONS, Mr. BOEHLERT, Ms. GINNY BROWN-WAITE of Florida, Mr. INSLEE, and Mrs. CAPITO.
H.R. 1558: Mr. NADLER.
H.R. 1599: Mr. ADERHOLT.
H.R. 1607: Mr. MILLER of Florida.
H.R. 1642: Mr. MACK, Mr. GARRETT of New Jersey, and Mr. PITTS.
H.R. 1651: Mr. ALEXANDER, Mr. SHIMKUS, and Mr. AKIN.
H.R. 1652: Mr. CLAY.
H.R. 1671: Mr. BOOZMAN.
H.R. 1704: Mr. JENKINS.
H.R. 1709: Mr. SHAYS, Mr. COSTA, Mr. FILNER, Mr. CARDIN, Mr. CONYERS, Mr. WU, Mr. NADLER, and Mr. HONDA.
H.R. 1736: Mr. KENNEDY of Minnesota.
H.R. 1742: Mr. FILNER and Mr. ETHERIDGE.
H.R. 1951: Mr. WEXLER, Mr. UDALL of Colorado, Mr. WHITFIELD, Mr. BUTTERFIELD, Mr. SAXTON, and Mr. MARSHALL.
H.R. 1954: Mr. KENNEDY of Rhode Island.
H.R. 1956: Mr. PENCE and Mrs. JO ANN DAVIS of Virginia.
H.R. 1973: Mr. RUSH.
H.R. 2045: Mr. LAHOOD.
H.R. 2070: Mr. BERMAN.
H.R. 2073: Ms. MOORE of Wisconsin.
H.R. 2108: Ms. SCHAKOWSKY.
H.R. 2209: Mr. MCHUGH, Mr. GILLMOR, and Mr. FRANK of Massachusetts.
H.R. 2231: Mr. GONZALEZ, Mr. DOGGETT, Ms. WASSERMAN SCHULTZ, Mrs. JO ANN DAVIS of Virginia, Mr. FITZPATRICK of Pennsylvania, Mr. PLATTS, Mr. KENNEDY of Rhode Island, and Mr. EMANUEL.
H.R. 2237: Mrs. CAPPS.
H.R. 2251: Mr. WALDEN of Oregon, Mr. FORD, and Mr. SESSIONS.
H.R. 2355: Mr. HALL.
H.R. 2357: Mr. MCCAUL of Texas.
H.R. 2358: Mr. STUPAK.
H.R. 2383: Mr. CALVERT.
H.R. 2388: Ms. GINNY BROWN-WAITE of Florida.
H.R. 2423: Mr. PRICE of Georgia and Mrs. CAPITO.
H.R. 2486: Mr. SHAYS.
H.R. 2491: Mr. SCHWARZ of Michigan, Mr. LEVIN, Mr. HOEKSTRA, Mr. KILDEE, Mrs. MILLER of Michigan, and Ms. KILPATRICK of Michigan.
H.R. 2498: Mr. KENNEDY of Minnesota, Mr. BEAUPREZ, Mr. MCCOTTER, Mr. PETERSON of Minnesota, Mr. KING of Iowa, Mr. JENKINS, Mr. TERRY, and Mr. PITTS.
H.R. 2526: Mr. BRADY of Pennsylvania, Mr. WEXLER, Mr. LIPINSKI, and Mr. WELDON of Pennsylvania.
H.R. 2567: Mr. KILDEE, Mr. GALLEGLY, Mr. BILIRAKIS, Mr. OLVER, Mr. PLATTS, Mr. ETHERIDGE, Ms. DELAURO, Mr. FARR, Mr. KOLBE, and Mr. DEFAZIO.
H.R. 2592: Ms. LINDA T. SÁNCHEZ of California.
H.R. 2626: Mr. FRANK of Massachusetts, Mr. GORDON, and Mr. WAMP.
H.R. 2646: Mr. BRADY of Pennsylvania and Mr. BAKER.
H.R. 2658: Mr. ADERHOLT.
H.R. 2695: Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. MCGOVERN, and Mr. LAHOOD.
H.R. 2716: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2717: Mr. GRIJALVA, Mr. GEORGE MILLER of California, Mr. LAHOOD, Mr. PETERSON of Minnesota, Mr. PLATTS, Mr. MOLLOHAN, Mr. BACHUS, Mr. OBERSTAR, MS. VELÁZQUEZ, Mr. RANGEL, Ms. BALDWIN, Mr. CHANDLER, Mr. SCHIFF, Mr. MICHAUD, Mr. CUMMINGS, Ms. MOORE of Wisconsin, Mr. DENT, Mr. BACA, Mr. FORD, and Mr. BOSWELL.
H.R. 2721: Mr. MURPHY, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. JENKINS, Mr. DENT, Mr. YOUNG of Alaska, Mr. DUNCAN, Mr. FATTAH, and Mr. MURTHA.
H.R. 2746: Mr. MCDERMOTT, Mr. WEXLER, and Mr. OWENS.
H.R. 2780: Mr. ACKERMAN, Mr. MOORE of Kansas, and Mrs. MCCARTHY.
H.R. 2792: Mr. PAUL.
H.R. 2793: Mr. LAHOOD.
H.R. 2811: Mr. ALLEN, Mr. AL GREEN of Texas, and Ms. WOOLSEY.
H.R. 2828: Mr. MORAN of Virginia.
H.R. 2834: Mr. BAIRD and Mr. GENE GREEN of Texas.
H.R. 2835: Mr. STUPAK.
H.R. 2840: Mr. KENNEDY of Minnesota.
H.R. 2876: Mrs. KELLY, Mr. UDALL of New Mexico, Mr. BASS, Mr. BONNER, Mr. VAN HOLLEN, Mrs. EMERSON, Mr. LARSEN of Washington, Ms. HARMAN, and Ms. GRANGER.
H.J. Res. 53: Mrs. BLACKBURN, Mr. UPTON, Ms. HART, and Mr. ISTOOK.
H. Con. Res. 140: Mr. PENCE and Mr. ISSA.
H. Con. Res. 155: Mr. WOLF and Mr. MCNULTY.
H. Con. Res. 157: Mr. MOORE of Kansas, Ms. MATSUI, Ms. BORDALLO, Mr. CASE, Mrs. DAVIS of California, Mr. WEXLER, Mr. GRIJALVA, Ms. WOOLSEY, Mr. SANDERS, Mr. WALSH, Mr. AL GREEN of Texas, Mr. FILNER, Mr. THOMPSON of California, Mr. ABERCROMBIE, Mr. MORAN of Virginia, Ms. NORTON, Ms. DELAURO, Mr. MCCOTTER, and Mr. SCHIFF.
H. Con. Res. 160: Mr. SHIMKUS, Ms. MOORE of Wisconsin, Mr. AL GREEN of Texas, Mr. JACKSON of Illinois, Mr. RANGEL, Mr. THOMPSON of Mississippi, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Mr. CUMMINGS, Mr. RUSH, Mr. MEEK of Florida, Mr. LEWIS of Georgia, Mr. DAVIS of Alabama, Mr. GUTIERREZ, Mr. HINOJOSA, Mr. BECERRA, Mr. REYES, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. EVANS, Mr. CLYBURN, Ms. PELOSI, Ms. BALDWIN, Mr. JEFFERSON, and Mr. SABO.

H. Res. 76: Mr. OWENS.
H. Res. 84: Mr. RYAN of Wisconsin.
H. Res. 123: Mr. CARDOZA and Mrs. NORTHUP.
H. Res. 127: Mr. CROWLEY, Mr. WAXMAN, Mrs. DAVIS of California, and Mr. FILNER.
H. Res. 172: Mr. KUCINICH.
H. Res. 246: Mr. UPTON.
H. Res. 256: Mr. BACHUS.
H. Res. 276: Ms. HARRIS, Ms. JACKSON-LEE of Texas, Mr. PUTNAM, Mr. OWENS, Mr. SWEENEY, Mrs. MYRICK, Mr. WOLF, Mr. BRADY of Pennsylvania, Mr. WEXLER, and Mr. BARRETT of South Carolina.
H. Res. 302: Ms. ROS-LEHTINEN and Mr. OSBORNE.
H. Res. 311: Mr. HASTINGS of Florida, Ms. DEGETTE, Mr. JEFFERSON, Mr. MCGOVERN, Mr. HONDA, and Mr. CONYERS.
H. Res. 318: Mr. KENNEDY of Minnesota.

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. 939: Ms. MILLENDER-MCDONALD.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2862

OFFERED BY: MR. WEINER

AMENDMENT NO. 34: Page 26, line 25, after the dollar amount, insert ''(increased by $126,152,000)''.

Page 57, line 9, after the dollar amount, insert ''(reduced by $126,152,000)''.

H.R. 2863

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 6: On page 2, line 15, insert after the dollar amount the following: ''(increased by $600,000,000)''.

On page 3, line 2, insert after the dollar amount the following: ''(increased by $500,000,000)''.

On page 3, line 13, insert after the dollar amount the following: ''(increased by $100,000,000)''.

On page 4, line 2, insert after the dollar amount the following: ''(increased by $500,000,000)''.

On page 4, line 15, insert after the dollar amount the following: ''(increased by $50,000,000)''.

On page 5, line 3, insert after the dollar amount the following: ''(increased by $50,000,000)''.

On page 5, line 17, insert after the dollar amount the following: ''(increased by $50,000,000)''.

On page 6, line 5, insert after the dollar amount the following: ''(increased by $50,000,000)''.

On page 6, line 19, insert after the dollar amount the following: ''(increased by $50,000,000)''.

On page 7, line 8, insert after the dollar amount the following: ''(increased by $50,000,000)''.

On page 29, line 17, insert after the dollar amount the following: ''(reduced by $2,000,000,000)''.

H.R. 2863

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 7: Page 19, line 9, insert after the dollar amount the following: ''(increased by $375,000,000)''.

Page 24, line 10, insert after the dollar amount the following: ''(increased by $125,000,000)''.

Page 29, line 17, insert after the dollar amount the following: ''(reduced by $500,000,000)''.

H.R. 2863

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 8: Page 117, after line 5, insert the following title:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 10_____. None of the funds made available in this Act may be used to initiate military operations except in accordance with Article I, Section 8 of the Constitution of the United States.

H.R. 2863

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 9: On page 2, line 15, insert after the dollar amount the following: ''(increased by $300,000,000)''.

On page 3, line 2, insert after the dollar amount the following: ''(increased by $250,000,000)''.

On page 3, line 13, insert after the dollar amount the following: ''(increased by $50,000,000)''.

On page 4, line 2, insert after the dollar amount the following: ''(increased by $250,000,000)''.

On page 4, line 15, insert after the dollar amount the following: ''(increased by $25,000,000)''.

On page 5, line 3, insert after the dollar amount the following: ''(increased by $25,000,000)''.

On page 5, line 17, insert after the dollar amount the following: ''(increased by $25,000,000)''.

On page 6, line 5, insert after the dollar amount the following: ''(increased by $25,000,000)''.

On page 6, line 19, insert after the dollar amount the following: ''(increased by $25,000,000)''.

On page 7, line 8, insert after the dollar amount the following: ''(increased by $25,000,000)''.

On page 29, line 17, insert after the dollar amount the following: ''(reduced by $2,000,000,000)''.

H.R. 2863

OFFERED BY: MR. RUSH

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 10001. None of the funds made available in this Act may be used by the Department of Defense to enter into a contract with an entity that a court of law, or any office within the Department of Defense that oversees contracts, has found to have violated any Federal civil rights law.

H.R. 2863

OFFERED BY: MR. HOSTETTLER

AMENDMENT NO. 11: Strike section 9012 (page 115, line 14, through page 117, line 5).

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, WEDNESDAY, JUNE 15, 2005 No. 79

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable SAM BROWNBACK, a Senator from the State of Kansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Immortal, invisible God only wise, Your love endures throughout all generations. Thank You for Your wondrous work and for Your constant care for our world.

Lord, today, bless our Senators. Let their lips disperse knowledge and their conduct produce peace. Empower them to walk with integrity and to strive to honor You. Remind them often that humility comes before honor. Grant that whatever work they do, they may labor for You. Guide them in all of their decisions and give them the power to live victoriously. Give them the perseverance to finish the tasks they start.

Lord, help each of us to not simply honor You with our lips but also with our lives. All this we ask for Your love's sake. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SAM BROWNBACK led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 15, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SAM BROWNBACK, a Senator from the State of Kansas, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. BROWNBACK thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we will resume consideration of the Energy bill. We will be spending all of this week and, in all likelihood, all of next week on the bill. We plan on completing the bill by the end of next week. Yesterday, the chairman offered a first-degree amendment relating to ethanol. Last night, we were able to consider and table a second-degree amendment relating to safe harbor. Today, we will be considering another second-degree amendment which was offered by Senator SCHUMER. It is our expectation to have a vote in relation to that amendment very shortly this morning, hopefully within the next 30 minutes. Senators, therefore, should be on notice and their offices should notify them that we might be voting around 10 o'clock, or shortly thereafter. If we are able to table that amendment, we would like to vote on the underlying first-degree amendment as well.

We expect to make further progress on the bill following those votes. So it will be a very busy day. We may go into the early evening tonight. I know there are a number of events planned tonight. I say that only to encourage people to come and offer their amendments and debate their amendments over the course of the day.

We will be finishing the bill by the end of next week. The Democratic leader and I have been consistent with that regard. So we want people to come to the floor and offer those amendments.

The ACTING PRESIDENT pro tempore. The Democratic leader.

Mr. REID. Mr. President, we made a lot of progress yesterday. It may not seem that way because all we did was ethanol. There were a lot of activities going on behind the scenes to move this legislation forward. Senator CANTWELL will offer her amendment this morning. I do not know how long that will take. The unfortunate death of Jim Exon, I hope, will not cause us to hold things up. I hope the two managers of the bill can have a number of amendments offered and stack those amendments, with the permission of the majority leader, and probably vote on those, we hope, in the morning sometime.

The big issues left are a renewable standard for electricity, we have a number of global warming issues, and there are other issues. If we get the Cantwell amendment decided and we do the global warming amendments and electricity standards, I think we are down the road on this important piece of legislation. We need cooperation from both sides.

It is an important piece of legislation. I know the President gave a speech yesterday wanting us to move forward. We want to move forward on it. Senators DOMENICI and BINGAMAN have done a very good job of getting us to where we are.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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ENERGY

Mr. FRIST. Mr. President, today we will continue consideration of the Energy bill, as we just discussed. The debate has been very thorough and robust. Today I expect it to be so as we debate a number of very important issues, but I am confident, very optimistic, that we will have a strong bipartisan bill that will be overwhelmingly supported by this body by the time we complete it at the end of next week.

I thank Senator DOMENICI and Senator BINGAMAN for their tremendous leadership. They started in this session with a bipartisan commitment to produce a bill that speaks to the needs that are so clear and evident to all of us and to the American people. They deserve great credit for working together and working hard through all of these complicated details to come up with a plan that both sides of the aisle will be able to support.

I am pleased that during the Energy bill debate we are discussing the importance of increasing our Nation's use of renewable fuels, such as ethanol, which we spent a lot of time on yesterday, as we will today, as well as biodiesel.

I am a strong supporter of the renewable fuels standard which will double the use of ethanol and biodiesel over the next 7 years. Increasing use of these home-grown, clean-burning renewable fuels is essential to reducing both our short- and long-term dependence on foreign oil.

We are currently, as has been discussed many times, 56 percent dependent on these foreign sources of oil with all predictions aiming that we will be 68 percent dependent by 2025 if we do nothing. That is a call to action and, in many ways, that explains much of the action on the floor of the Senate this week.

One of the major goals in the bill is to reduce that dependence and thereby enhance our own energy security. We will accomplish that through adoption of this bill. The renewable fuels standard is a critical component, an important aspect of this energy policy.

Increasing use of ethanol and biodiesel is a bipartisan issue. It was in the last Congress. I, along with the then-Democratic leader, Senator Daschle, introduced the renewable fuels standard amendment on the Senate floor. I am working with colleagues on both sides of the aisle to help forge an agreement on this issue again this year, and I am very pleased with our progress to date, over the course of yesterday, and I expect today.

In particular I thank Senators THUNE, TALENT, LUGAR, HAGEL, GRASSLEY, INHOFE, BOND, VOINOVICH, COLEMAN, and colleagues on the other side of the aisle who worked so hard to get us to this point. It was, again, a huge bipartisan effort with people in this body working together. I look forward to supporting this bipartisan effort over the course of the coming days.

When we go back to our States, again and again we hear that anyone filling up that tank of gas knows that America is in desperate need of an energy plan. With gas now averaging well over $2 a gallon, every American family, every worker, every small business owner is feeling the bite, is feeling the pinch. Gas prices are taking a bigger and bigger piece out of the family budget and that, of course, leaves less money to spend on items such as clothes, food, groceries, as well as looking forward to that next summer vacation.

We can do better. We are doing better in this bill. We know we can. And we have within our reach the ability to deliver clean, reliable, and affordable energy. All we have to do is imagine the future and project out what the future is going to be like, and then pull that back to the present and take action by debating and, where appropriate, amending the bill and then passing it over the next several days.

As we look to the future, imagine a future where coal is turned into a clean, cheap gas. It is not as far away as one might think or as most people thought 10 or 15 years ago. We have a 400- to 500-year supply of coal right here in the United States. My colleague from Tennessee, Senator ALEXANDER, discussed on the floor last week how, if we apply our technological know-how, imagination, and ability, capture that innovation, we can turn that very coal into clean coal gas, and by doing that, as a byproduct we would be able to share that with the entire world. We can do that by capturing our innovations, taking these natural resources, applying those innovations in a way that transforms them, and then sharing them with the entire world.

That is the sort of thinking that is going on in this bill. It is the sort of transformational thinking that the American people expect and should expect. It is time for an energy plan that is long overdue but also an energy plan that incorporates this innovation and this technology. We have gone on for way too long, we have gone on for 10 years without a comprehensive plan. We have attempted this in the past. We attempted it in the last Congress and we were unsuccessful. We passed a good bill on the Senate floor and the House passed a bill, but we did not get agreement in conference to get a bill to the President of the United States.

As we have debated and have been unable to bring a bill to conclusion, energy prices have gone higher and higher. We have become more and more dependent on foreign sources of energy. These foreign sources do not necessarily have the best interests of the United States at heart.

In the 1960s and early 1970s, the United States produced almost as much oil as we consumed. In those decades, imports were very small. In about 1972, U.S. oil production began to decline, and it has been declining steadily ever since.

At the same time as our economy has grown, U.S. consumption of oil has steadily increased. So declining supply, increased consumption. As a result, our reliance on foreign oil and foreign sources of energy, of course, have had to increase. So the problem is pretty clear, and that is the response we are delivering on the Senate floor.

Today, we import most of our oil from the North, from Canada; also from the South, Venezuela, Saudi Arabia, and Mexico. However, as we look out over the next 5, 10, and 15 years, the Department of Energy's Energy Information Administration predicts that more of the oil that we need will come from the OPEC countries in the Middle East.

We must take steps to reduce our dependence on foreign countries and thereby enhance our energy security at home. When we rely on other nations for more than half our oil supply, we simply put our security at risk. We need a system based upon efficiency, balance, and common sense. We need a system that will respond to the obvious needs that are growing worse, challenges that are increasing each day that we do not produce a bill.

We can look at nuclear energy as a great example. It is clean, it is efficient, and it has the potential to significantly reduce our dependence on foreign supplies. The Navy powers dozens of its vessels with nuclear energy and docks these ships at ports all over the world. They have not had one accident.

France uses nuclear energy to provide 80 percent of its electricity supply. Japan allows one, two, three new reactors to be built each year. In the United States, we have not ordered a new nuclear power reactor plant in the last 30 years, since the 1970s. We can, and we should, pursue commonsense efforts to produce clean, safe, affordable, and reliable energy, nuclear energy, for America's families. It only makes sense. It is common sense.

Increasing our domestic supply is critically important, but we also have to look at the conservation side of the equation. We simply need to look at the transportation sector. Nearly 70 percent of the oil we use goes to power the cars and trucks that we drive every day. If we are serious about reducing our dependence on foreign oil, we must look at new ways to power and fuel those vehicles. We are already doing this with hybrid cars which, as we all know, are becoming more popular, and with the alternative fuels that we have been discussing on the floor yesterday and today, ethanol and biodiesel. We must continue to move in this direction by continuing and increasing our investment in hydrogen fuel cell research.

President Bush has said that his goal is that today's children will take their driver's test in a zero-emission vehicle. That would go a long way toward helping to reduce our dependence and enhance our security.

The fuel that we are increasingly talking about, which is probably the most dramatic when we look at the challenges before us, is natural gas. Natural gas is another energy source we depend on heavily and another area in which we are becoming increasingly reliant on imports. Because natural gas is clean burning and relatively cheap, it has become the fuel of choice for new electric power generation in recent years. Sixty percent of homes across America are heated and cooled today with natural gas.

While demand has been steadily growing, and for good reason, domestic supply has remained relatively flat. In fact, in 2003, we imported 15 percent of the gas we used but by 2025 the percent of gas that is used that will be imported is going to go up twofold, is going to double. Yes, we need to take bold action in the United States to address America's energy challenges, and we need to do this head on. We are doing that on the Senate floor.

The Energy bill we are debating over these 2 weeks is a strong step in the right direction. I hope that we will be able to continue to work together to pass a strong and bipartisan bill so we can get this important legislation to the President of the United States so that he can sign it.

America needs this policy. It needs this policy to keep our families safe, strong, and secure. We need a policy that keeps us competitive, and we need a policy that continues to help us to move forward.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

BOLTON NOMINATION

Mr. REID. Mr. President, from the outset of the debate on John Bolton's nomination, Senate Democrats have had a clear and consistent position. If the administration works in good faith to give the Senate the information it deserves, the Senate Democrats are ready to immediately give this nomination an up-or-down vote. We said this as far back as April, and it remains our position today. Despite the administration's refusal to turn over any of the requested information during this time period, Senator FRIST told me yesterday he was inclined to seek another vote on the Bolton nomination. While the majority leader is certainly within his rights to do this, unless the administration changes course before this vote is held, the outcome will be exactly the same as it was last month and may even have less support than it did before.

Here is why: The history and precedent in the Senate makes it clear the Senate has a right to information that bears directly on the fitness of a political nominee to serve. Virtually every other administration has recognized the Senate's rights and provided the needed information—every administration, that is, except this one. Many colleagues on the majority have stood for the Senate's right to get information from the executive branch in the past. We have many statements on record to that effect. These colleagues have made it clear, with their words and deeds, that it was perfectly legitimate for the Senate to withhold action on an executive nominee until the executive branch provided certain information, even if the information requested had nothing to do with the nominee in question.

In this instance, we are seeking information that bears directly on the fitness of John Bolton to serve as our representative to the United Nations. We are not engaging in any fishing expedition. We are seeking clearly defined documents and information about two very important issues:

No. 1, did Bolton attempt to exaggerate what Congress would be told about Syria's alleged weapons of mass destruction capabilities? Remember, we have some experience in weapons of mass destruction information being altered and manipulated.

No. 2, did Bolton use and perhaps misuse highly classified intelligence intercepts to spy on bureaucratic rivals who disagreed with his views or for other inappropriate purposes?

These are two very direct, simple issues that bear on this man's capability and fitness to serve in the United Nations.

The administration's position on these requests has been that political appointees are qualified to see this information but that Senators elected by the American people are not. I believe this is unacceptable.

During this impasse, Senate Democrats have repeatedly demonstrated our good faith to break the current impasse and give Mr. Bolton a vote. Yesterday, I heard some of my Republican colleagues assert that Democrats have been shifting the goalpost on resolving this issue, and they are absolutely right, we have. Instead of having a 100-yard football field, now we have made it only 60 yards. We have moved in their direction. Just last week, Senators BIDEN, ranking member of Foreign Relations and, of course, Senator DODD, the ranking member of the Rules Committee, made another effort to resolve the impasse over the Bolton nomination. Everyone in the Senate and outside this body should understand that this offer moves significantly away from our initial request in a sincere effort to resolve the situation. Everyone should also understand that, unfortunately, this latest effort to reach an accommodation with the White House has apparently met the same fate as previous efforts to work things out—silence from the administration.

Even yesterday, the ranking member of the Finance Committee—I should say the vice chair Senator ROCKEFELLER of West Virginia, which is the proper title—offered his assistance, to break the impasse. He sent a letter to the Director of National Intelligence, John Negroponte, to that effect.

We have said publicly, if this administration, similar to every other administration, respects the requests of the Senate, we will immediately move to grant Bolton an up-or-down vote. I stand by that pledge today. I hope my colleagues on the other side of the aisle will recognize we are following their precedent with our actions today. I hope this administration brings an end to its pattern of abusing its powers and treats this coequal branch of Government with the respect it deserves.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VITTER). Without objection, it is so ordered.

ENERGY POLICY ACT OF 2005

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 6, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 6) to ensure jobs for our future with secure, affordable and reliable energy.

Pending:

Domenici amendment No. 779 (to amendment No. 775), to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence.

Schumer amendment No. 782 (to amendment No. 779), to strike the reliable fuels subtitle of the amendment.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I believe the order of business is my second-degree amendment to the amendment of my friend from New Mexico.

The PRESIDING OFFICER. That is the pending question.

Mr. SCHUMER. When do we expect a vote, Mr. President? What is the order of business here?

The PRESIDING OFFICER. We do not yet have a consent request. We are expecting that soon.

Mr. SCHUMER. Mr. President, I will address this amendment. Let me say, this amendment is one that still requires all the Clean Air standards to be met but removes the ethanol mandate. That is what this amendment does.

The underlying Domenici amendment on ethanol is so wrong. The amendment is a boondoggle. It hurts drivers and it hurts the free market. It is a boondoggle because it takes money out of the pockets of drivers and puts it into the pockets of the big ethanol producers.

The bottom line is very simple. In places where they need ethanol, there is a mandate, and in places where they do not need ethanol, there is a mandate. This is nothing less than an ethanol gas tax levied on every driver: the employee driving to work, the mom driving the kids to school, the truck-driver who earns a living. Gas prices are high enough. It is utterly amazing that in this body we seek to raise the prices even higher than they are now because that is what this amendment will do—particularly if you are on the coasts or in large parts of the South. If you are not in an area that has a lot of ethanol production, make no mistake about it, the underlying amendment will raise your gas prices. The Schumer amendment will make sure that gas prices do not go up any higher because of an ethanol mandate.

The bottom line is this boondoggle not only hurts drivers and puts money in the pockets of the big ethanol producers, but this amendment puts a dagger in the heart of the concept of a free market. We have lots of my friends, particularly on the other side of the aisle, who praise the free market all the time—as they should. But then they fold to the ethanol lobby and vote for one of the most anti-free-market amendments that has come on this floor in decades, because not only do we subsidize ethanol, which we do, and not only do we deal with ethanol in terms of imports, not only do we require ethanol in this amendment whether you need it but, amazingly enough, this amendment says: If you do not use the ethanol, you still have to pay for it.

So somebody driving in New York or Philadelphia or Boston or Bangor, ME, somebody driving in Seattle or Portland or Los Angeles or San Francisco—areas where there is not much ethanol—is going to pay 5 cents, 10 cents, 15 cents more to go into the pockets of the ethanol producers, even when the drivers do not use ethanol.

It is so unfair to do this. It is wrong to do this. If you come from Iowa or Illinois, and ethanol is good for your gasoline and it is the best way to make it cleaner, that is fine. But if there are other ways to do this, then why do we require ethanol?

We know why. Some say it will help the corn grower. When was the last time the little family farmer benefited from a policy where three or four big companies control the show? They do not benefit when it comes to meat, they do not benefit when it comes to milk, they do not benefit when it comes to wheat, they do not benefit when it comes to corn. So to put a few pennies—and that is all it will be—in the pocket of the family farmer, we charge drivers around the country billions of dollars.

Make no mistake about it, most of those billions will not go to the family farmer, they will go to the Archer Daniels Midlands of the world—a company that was once accused of price fixing. There will be no free market here at all.

There could not be an amendment that does more damage—damage to drivers, damage to the free market, damage to the system that says we do not force things on people they do not need. It is hard to believe.

I know the political forces here. We have coalitions. We have big industry and people from the corn-growing States on one side. But if we required every person in New Mexico or Georgia or West Virginia or Montana to buy New York milk, no matter how much it cost and whether they needed it, you would be on your feet hollering. But to require New York drivers and drivers from Maine and Florida and Texas and Arizona and California and Washington to buy Middle Western corn-based ethanol is equally outrageous.

We have had this amendment around for a while. I have been fighting it as long as I have been here. I understand the political forces, but the political forces should not mitigate what is right. If you believe in the free market, if you believe in protecting drivers, do not vote for this amendment. If you would not vote for a gas tax, why vote for an ethanol tax? It is the same thing. It is the same concept. There are many other ways to make the air cleaner.

Talk to refiners on the coasts. They can crack the petroleum to meet the Clean Air standards. They are not going to buy the ethanol, anyway, but they are still going to have to pay for it.

I urge my colleagues to defeat this poorly conceived, unfair amendment that puts a dagger in the heart of anything that we might consider the free market.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, this amendment will gut the ethanol amendment which has been crafted in a bipartisan manner. My good friend from New York suggested it would be unfair to make us all buy milk produced in New York. I think that would not only be unfair, but it would be a disaster because we wouldn't have any milk anywhere because they do not produce enough milk to go anywhere in the United States.

In any event, we ought to table this amendment and get on with the Energy bill. I compliment the Senator on his arguments. He always makes excellent arguments in behalf of his State and his people. In this case I believe the country is going to be well served by making us less dependent upon oil that is imported from a cartel.

He speaks of competition and whether there is going to be competition in ethanol. Let's be serious about this. There is no competition in the world markets for oil. In this case we are going to be producing ethanol that is American in order to displace, gallon by gallon, the oil we import.

Having said that, I move to table the 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 motion.

The clerk will call the roll.

The assistant legislatuve clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Alaska (Mr. STEVENS).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. JEFFORDS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 28, as follows:

[Rollcall Vote No. 138 Leg.]

YEAS—69

Akaka	Dayton	Levin
Alexander	DeMint	Lincoln
Allen	DeWine	Lugar
Baucus	Dole	Martinez
Bayh	Domenici	McConnell
Bennett	Dorgan	Murray
Biden	Durbin	Nelson (FL)
Bingaman	Enzi	Nelson (NE)
Bond	Feingold	Obama
Brownback	Frist	Pryor
Bunning	Graham	Reid
Burns	Grassley	Roberts
Burr	Hagel	Salazar
Byrd	Harkin	Sarbanes
Cantwell	Hatch	Sessions
Carper	Hutchison	Shelby
Chambliss	Inhofe	Smith
Cochran	Inouye	Stabenow
Coleman	Isakson	Talent
Conrad	Johnson	Thomas
Cornyn	Kerry	Thune
Craig	Kohl	Vitter
Crapo	Landrieu	Voinovich

NAYS—28

Allard	Gregg	Rockefeller
Boxer	Kennedy	Santorum
Chafee	Kyl	Schumer
Clinton	Lautenberg	Snowe
Coburn	Leahy	Specter
Collins	Lieberman	Sununu
Corzine	Lott	Warner
Dodd	McCain	Wyden
Ensign	Mikulski	
Feinstein	Reed	

NOT VOTING—3

Jeffords	Murkowski	Stevens

The motion was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

AMENDMENT NO. 779

Mr. DOMENICI. We are still on the ethanol amendment. I understand—so Senators will know—there are still negotiations taking place. I am hopeful they will be fruitful with reference to some portion of this amendment. We are going to stay on it and see what happens.

In the meantime, a couple Senators have indicated they would like to speak. I understood Senator AKAKA had

come up and asked if he could be heard. He is not here.

I yield to the Senator.

Mr. REID. Mr. President, we are ready for the next amendment. What I would suggest for the good of the order is that while they are negotiating a finality of this ethanol amendment—that is taking place as we speak—Senator CANTWELL be allowed to move forward on her amendment. We would certainly agree that anytime they want to come back and finish the work on ethanol, she would step aside. But we have such a limited amount of time on this most important piece of legislation.

We have today. Of course, because of the funeral of Senator Exon, we cannot have votes this afternoon. There are six or seven Senators leaving. Then we have a longstanding conference on Friday, so tomorrow is going to be the heavy workload of this week.

This is our first amendment. We believe we would do well if we could move forward with it. Senator CANTWELL has been very patient. She waited here all day yesterday, and she is here again today.

So I am wondering—I see, of course, that the distinguished chairman of the committee is here. I wonder if I could have Senator INHOFE's attention. If I could, I am sorry to interrupt the conversation, but I am wondering if the distinguished Senator from Oklahoma would allow the present amendment to be set aside. I know there are negotiations going on at the present time. We could allow Senator CANTWELL to offer her amendment. Anytime you wanted to come back on the floor, we would be happy to yield the floor and come back to you. It would just help things move along.

Mr. INHOFE. I say to the distinguished minority leader that I appreciate his comments and I note his thoughts, but the answer would be no.

Mr. REID. Mr. President, I know the majority leader, and I want to move this legislation along. We have great plans for the last week of this work period to do some appropriations bills, one of which I hope would be the bill of Senator DOMENICI and this Senator which we have been fortunate enough to be chairman and ranking member of that committee for many years. We were able to complete that yesterday in the subcommittee and will be ready to move. It is such a waste of the country's time not to move forward. I have made my good-faith gesture to do so. I hope everyone understands that we can't rush forward on cloture when there is nothing having been done to allow us to offer amendments.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Let me say to the distinguished minority leader, I am fully aware of the problem he has discussed. I am empathetic and want to move ahead. But I think it is better for a while to let the ethanol deal which is being considered in terms of perhaps some modification to continue for a while rather than get off of it. We are going to do the best we can to move this bill. We need your help. We need our leader's help to move ahead.

Mr. MCCONNELL. Will the chairman yield?

Mr. DOMENICI. I am pleased to yield.

Mr. MCCONNELL. I say to my friend from Oklahoma that if his amendment became the pending business right after Cantwell, he would be in exactly the same position he is in right now. Our discussions could continue. It would at least allow the Senate to process another amendment.

Mr. REID. It is my understanding that Senator INHOFE's amendment or the underlying ethanol amendment will be the pending business after Cantwell. That would be fine with us.

Mr. DOMENICI. Let me ask maybe if we could put in a quorum for a minute.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, we have had a conversation as suggested by the distinguished chairman. He is, as usual, right.

I ask unanimous consent that the pending amendment be set aside and that Senator CANTWELL be allowed to offer her amendment, and that at such time as the majority wants to regain the floor to discuss the matter of ethanol, Senator CANTWELL would step down.

Mr. DOMENICI. Reserving the right to object, how long do you think the Cantwell amendment might take?

Mr. REID. A couple of hours. With the 12:30 schedule, I would hope we would have a vote on ethanol; otherwise, we will debate that and whenever that finishes move to another issue, if ethanol is not resolved. It is not going to be a day-long debate.

Mr. DOMENICI. Could I ask the distinguished minority leader another question? Do you know if there are any other amendments that are ready on your side after Senator CANTWELL?

Mr. REID. It is my understanding that the ranking member of the committee has one on renewables that is ready to go, electricity renewables, portfolio standard that we have debated on a number of occasions. I assume that with all the work done on global warming, there are several amendments around, some of which are bipartisan. I am sure that is ready to go. So there are a number of amendments ready to go.

Mr. DOMENICI. I think global warming is going to wait until next week.

Mr. REID. Which is fine with us.

Mr. DOMENICI. I have no objection—just a moment.

Mr. INHOFE. Reserving the right to object, I would inquire of the Chair, was there a UC proposed?

Mr. REID. Basically, to set aside this amendment.

Mr. INHOFE. To set aside mine. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Nebraska is recognized.

Mr. NELSON of Nebraska. Mr. President, I thank the Chair for giving me this brief opportunity to speak about the renewable fuels provisions in the Energy bill. I thank my colleagues, Senators FRIST and REID, for their leadership, and Senators LUGAR, HARKIN, TALENT, and so many others for their efforts in developing this important legislation.

I am here today to support the renewable fuels provision in the Senate Energy bill. This legislation is one of the pillars for economic development for rural America, one segment of the population that lagged behind in the economic surge of the 1990s, yet a segment positioned to play such an integral role in fueling our Nation.

It is rare when legislation benefits all. It is rare when legislation creates only winners. It is clear that the production and use of renewable fuels is a win/win situation—a win for farmers from rural communities, a win for consumers, and a win for the environment. That is why as Governor of Nebraska, I invited other Governors interested in creating a group devoted to the promotion and increased use of ethanol to join me in Nebraska. In September of 1991, we met, and the Governors' Ethanol Coalition emerged. Membership in the coalition doubled from 9 to 19 States during the first year, and now stands at 30 States, with international representatives from Brazil, Canada, Mexico, Sweden, and Thailand—30 States, red and blue States.

First, I mentioned this legislation is a win for farmers in rural communities. Three years ago, we completed the farm bill which at the time was characterized as one very important part of the economic revitalization plan for rural America. Economic stimulus can come in many forms and the production of renewable fuels is certainly a viable option for rural America, especially—and candidly—in my State of Nebraska.

It is as simple as this: Demand for corn to create ethanol raises prices for corn. Demand for sorghum to create ethanol raises prices for sorghum. Demand for soybeans to create biodiesel raises prices for soybeans. Added to the important feature of farm profitability is the idea that increased grain prices result in less assistance to producers under the farm bill in the form of loan deficiency payments and countercyclical payments—yes, less government assistance. Merging the realities of agricultural economics and farm policy into energy legislation is the type of responsible legislation the voters sent us here to enact.

I am unabashedly proud of what my home State has accomplished in this area. Within the State of Nebraska, 11 ethanol plants currently produce 523 million gallons of ethanol per year or 12 percent of the Nation's total. The benefits of the ethanol program in Nebraska don't just involve grain producers. It involves investment in industry, the creation of jobs related to plant construction, operation, and maintenance. It includes permanent jobs at the ethanol facilities and stimulates the economic engines in small rural communities. In Nebraska alone, more than 270 million bushels of corn and grain sorghum is processed at the plants annually. These economic benefits and others have increased each year during the past decade due to plant expansion, employment increases, and additional capital investment.

Next, a win for consumers: A study released by the Consumer Federation of America points out that motorists could be saving as much as 8 cents per gallon of gasoline at the pump if oil refiners would blend more ethanol into their gasoline supplies.

I ask unanimous consent to print in the RECORD a copy of the Consumer Federation of America Report.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OVER A BARREL—WHY AREN'T OIL COMPANIES USING ETHANOL TO LOWER GASOLINE PRICES?

(By Mark Cooper)

Across the country, consumers are facing the highest gasoline prices in memory, while oil companies are reporting record profits. The profits at ExxonMobil alone exceeded $25 billion in 2004 with every expectation that 2005 profits will be even greater. The Wall Street Journal recently reported, ''Exxon Mobil Corp. is gushing money. Amid soaring crude-oil prices, it recently reported a fourth-quarter profit that amounted to the fattest quarterly take for a publicly traded U.S. company ever: $8.4 billion. That translated into $3.8 million an hour.'' As oil companies squeeze every penny they can from consumers' pocketbooks, they continue to import high priced crude oil from the Middle East and elsewhere, engage in mergers that further reduce already constrained competition, and avoid, wherever possible, blending their gasoline with alternative fuels like ethanol.

In the past, some consumers have expressed skepticism of economic benefits derived from blending ethanol into gasoline. But in the face of rising gasoline prices that skepticism is beginning to wane. For example, Senator Chuck Schumer (D–NY), once a critic of ethanol, now points to the benefits of building local production capacity in New York to create jobs and markets for farmers and lower gasoline prices for consumers.

Contributing to the changing attitude toward ethanol is the fact that prices for ethanol have declined while pump prices for gasoline now exceed $2.20 per gallon in many parts of the country. As Business Week recently reported, ''. . . since the start of the year, the wholesale price of ethanol has fallen more than 20 percent, to around $1.20 a gallon, while black gold is soaring to record highs.'' Given the sharp decline in ethanol prices, one would expect major oil companies to increase their purchases of ethanol beyond what is required by the Clean Air Act. However, contrary to rational economic expectations, oil companies are not expanding their purchases of lower-priced ethanol, but are continuing to purchase expensive crude oil and raising gasoline prices to consumers. Frustrated, some ethanol producers are beginning to export their product. This creates a situation of lower-priced ethanol leaving the country while higher-priced oil enters it—hardly an indication of rational economic behavior.

Changing consumer perceptions about the benefits of ethanol are reinforced by several recent developments:

Rising gasoline prices amidst declining ethanol prices.

At a time when the price of gasoline all over the country is increasing, the price of ethanol has been declining in part because of increased production, but in part because oil companies are refusing to purchase the available supplies to blend with their gasoline.

Major oil companies cost consumers as much as 8¢ a gallon by boycotting lower-cost ethanol.

With today's price differential between the wholesale price of ethanol and the average wholesale price of gasoline, consumers who purchase gasoline blended with 10 percent ethanol could be saving as much as 8 cents a gallon if oil companies purchased ethanol instead of importing more expensive foreign oil.

Terminal and other infrastructure exists to handle additional ethanol supplies in markets across the country.

Companies have built capacity—terminals, storage tanks, blending equipment—to use ethanol. But even though this capacity exists, oil companies have chosen to purchase more expensive petroleum instead of ethanol.

GASOLINE PRICE INCREASES, CONSUMER COSTS AND OIL COMPANY PROFITS

According to the most recent data published by the Energy Information Administration, the average US price for a gallon of regular unleaded gasoline was $2.24 as of April 25, 2005. This price is 42 cents a gallon higher than the year before, a jump of 23 percent. Since December 2004, the average price has climbed 40 cents a gallon. While some of this price increase is due to the higher cost of crude oil, some of it is directly related to continuing efforts by the major oil companies to keep their inventories as tight as possible.

Decisions about refinery capacity and stockpiling of product are business decisions. Figure 1 below demonstrates that oil refiners have limited gasoline inventories to less than 3 or fewer days of supply above the minimum operating reserves necessary to keep the system functioning since the consolidation of the industry. There is simply no slack in the system and this keeps markets tight. The closure of fifty refineries and the failure to build new ones in the past decade and a half reinforce this strategy.

Oil company refinery and inventory management has not only kept inventories low and prices high, but also resulted in record high monopoly profits (see Table 1). The 13 oil companies that account for over 84 percent of U.S. refinery runs in 2004 increased their income on U.S. refining and marketing operations in 2004 by more than 130 percent over 2003—from $6.6 billion to $15.3 billion. In other words, as oil companies charged consumers an average of nearly 29 cents a gallon more in 2004 than in 2003 for their gasoline, major oil companies were reaping windfall profits. For the average consumer, an increase of 29 cents a gallon means an extra $160 per year in the cost of driving the average car.

When assessing oil company profitability in the refining and marketing segment, it is important to recognize that ''Domestic refining and marketing has become a more prominent contributor to net income over the past 4 years but has also demonstrated how volatile this segment of the industry can be. In 2000, 2001, and 2003, domestic refining and marketing had 3 of the 4 best years in terms of net income in the history of the FRS survey . . .'' And 2004 was significantly better than 2001, the industry's previous best year.

TABLE 1.—INCOME FROM DOWNSTREAM OPERATIONS

[In millions of dollars]

Company	Refining/Marketing Income	
	2003	2004
ExxonMobil	$1,348.0	$2,186.0
Shell	379.0	1,686.0
ChevronTexaco	482.0	1,261.0
BP	748.0	2,478.0
ConocoPhillips	1,272.0	2,743.0
Valero	621.5	1,803.8
Marathon	819.0	1,406.0
Amerada Hess	643.0	977.0
Murphy	−21.2	53.4
CITGO	439.0	625.0
Sunoco	352.0	609.0
Premcor	116.6	477.9
Tesoro	76.1	327.9
Total	6,730	15,219

Source: Company Annual Reports.

The first quarter of 2005, with dramatically rising crude oil prices presents a stunning example of how domestic oil companies exercise market power over price to abuse consumers. If rising raw material (crude oil) costs were the problem then we would expect the domestic spread to decline as competition and consumer resistance (the elasticity of demand) squeezed the margin between the cost of inputs and the retail price. The opposite has happened because the industry is not competitive. Only in 2002, when demand was very weak due to the recession following September 11, did margins return to their historic levels. The winter of 2002 also taught the industry a lesson, that competition on price lowers profits.

The rising domestic spread numbers translate immediately into rising profits in the domestic refining and marketing industry (see Table 2). For the ten largest companies that refine crude oil in the U.S. profits increased by almost 60 percent in the first quarter of 2005 compared to the first quarter of 2004. This was a larger increase in profits than domestic exploration and production (16 percent) and total oil company operations (39 percent). There is no doubt that crude oil price increases contributed to the increase in the price at the pump, but so too did increasing margins and profits for domestic refining and marketing.

TABLE 2.—OIL INDUSTRY PROFITS

Company	Refining/Marketing U.S. Only		Global Total	
	1q 2004	1q 2005	1q 2004	1q 2005
EXXONMOBIL	$392	$645	$5,440	$7,860

TABLE 2.—OIL INDUSTRY PROFITS—Continued

Company	Refining/Marketing U.S. Only		Global Total	
	1q 2004	1q 2005	1q 2004	1q 2005
SHELL	215	405	4,702	6,673
BP	827	1,429	4,912	6,602
CONOCOPHILLIPS	403	570	1,616	2,912
CHEVRONTEXACO	276	58	2,562	2,677
VALERO	273	622	248	534
MARATHON	49	210	258	324
AMERADA HESS	137	102	281	219
MURPHY	−11	−8	98	113
PREMCOR	53	129	53	129
TOTAL	2,614	4,162	20,170	28,043

Source: Company 1q2005 Reports.

In contrast to gasoline prices, which have risen as a result of rising input prices and the exercise of market power by domestic refiners, ethanol prices have not risen because the cost of the raw materials has not risen and the producers of ethanol do not have market power.

So why don't oil companies use more ethanol to keep price increases down? The answer is simple. The market is not competitive enough to force them to worry about price increases. They also do not own the ethanol. They prefer to process more crude oil and make more money by keeping the price up.

GASOLINE PRICE DECREASES CONSUMERS AREN'T GETTING

While the oil marketplace has become much less competitive over the past ten years because of huge mergers between the largest companies, one would still expect that the availability of lower cost gasoline components would attract buyers.

In sharp contrast to the oil industry, the ethanol industry has become more competitive. According to a recent study ''ethanol production was the only agricultural sector in which concentration has steadily decreased. A decade ago, the top four companies owned 73 percent of the ethanol market. Today the top four companies control 41 percent of the ethanol produced.

But, when it comes to ethanol, oil companies have failed to respond. Over the last several months, ethanol prices have fallen by between 40 cents and 50 cents a gallon in different parts of the country, yet there is little, if any, evidence that refiners have taken advantage of the opportunity to purchase any supplies other than those required to meet the requirements of the Clean Air Act. According to Bernie Punt, general manager of an ethanol plant in Sioux Center, Iowa, ''Unless most of these oil companies are told by the government they have to use it, they won't.''

Table 3 below shows price changes for spot or wholesale prices for ethanol and regular reformulated gasoline sold in three major U.S. markets between November 2004 and March 2005. In all three markets, the spot price of ethanol fell between 41 cents and 50 cents a gallon while the spot price of gasoline rose between 13 cents and 30 cents a gallon.

Ethanol production has been climbing steadily as new producers continue to add capacity that is expected to reach 4 billion gallons this year. On a monthly basis, production of ethanol reached an all-time high of 245,000 barrels per day in February.

TABLE 3.—ETHANOL AND GASOLINE PRICES

Market	Nov.	Mar.	Change
Spot Ethanol Prices (per gallon)			
LA	$1.785	$1.373	−$0.412
CHIC	1.821	1.394	−0.427
NY	1.771	1.275	−0.496
Spot Regular RFG Gasoline Prices (per gallon)			
LA	1.386	1.682	+0.296
CHIC	1.256	1.492	+0.236

TABLE 3.—ETHANOL AND GASOLINE PRICES—Continued

Market	Nov.	Mar.	Change
NY	1.265	1.398	+0.133

Source: Platt's Oilgram Price Report.

Ethanol is blended with gasoline to help reduce air pollution. In California, New York and Connecticut—states which have phased out the use of MTBE—ethanol must be blended with gasoline to meet Clean Air Act requirements for oxygenated fuel. In New York and Connecticut, 10 percent ethanol is blended with 90 percent gasoline while in California, 5.7 percent ethanol is blended with 94.3 percent gasoline.

GASOLINE PRICE REDUCTIONS TO CONSUMERS WITH INCREASED USE OF ETHANOL

The best example of how consumers could realize lower gasoline prices is using sales of petroleum products and ethanol in New York harbor (see Table 4). Gasoline and ethanol shipped into New York harbor serve markets in New Jersey where refiners still use MTBE and New York and Connecticut where refiners blend ethanol. Assuming that refiners and gasoline marketers in New York harbor took advantage of lower-priced ethanol during March, they could have lowered consumer gasoline prices by 5 cents a gallon in New Jersey compared to RFG using MTBE and by 7 cents a gallon compared to conventional gasoline used outside of the metropolitan areas required use of RFG.

TABLE 4.—PRICES FOR REFORMULATED GASOLINE—NEW YORK SPOT PRICES

[$ per gallon]

NY RFG–MTBE	NY RFG–ETH	Diff.	NYRUL	NY	RFG–ETH	Diff.
March 2005	$1.40	$1.35	$0.05	$1.44	$1.37	$0.07

Another example where consumers could save money at the pump is California, the nation's highest price gasoline market (with the exception of Hawaii). If, instead of just blending 5.7 percent ethanol, California refiners chose to blend 10 percent ethanol as they do in New York, Chicago and Connecticut, California motorists could save as much as 8 cents a gallon.

These potential cost savings to consumers represent only the arithmetic result of blending more lower cost ethanol with higher cost gasoline. The increase in available supplies could have an additional effect in lowering prices and reducing volatility.

Oil companies have the capacity to use more ethanol to lower consumer gasoline prices.

In numerous markets across the country, oil companies have put in place all the necessary equipment to blend ethanol. In Atlanta, for example, where oil companies had prepared to supply ethanol blends starting January 1, 2005, Chevron with a market share of 14 percent stated it ''invested over $2,000,000'' to its Atlanta area gasoline supply terminal. In northern New Jersey, oil companies that supply metropolitan New York (including southern Connecticut) have had capacity to blend ethanol in place since January 1, 2004. Instead of supplying more expensive reformulated gasoline (RFG) with MTBE, these companies could choose to blend with less expensive ethanol to supply outlets in northern New Jersey. And in most Midwestern states—Iowa, Nebraska, Illinois, Missouri, and others—where ethanol is blended in mid-grade (89 octane) gasoline, there is nothing to prevent oil companies from blending ethanol in regular (87) and premium (91) grades of gasoline.

CONCLUSION

The consumer implications of the refusal to use more ethanol are clear. While gasoline refiners are using as much ethanol as required, the same refiners are not buying lower-cost ethanol in other gasoline markets. Thus, consumers in many parts of the country where ethanol can be delivered to existing storage and terminal facilities are not receiving lower cost supplies and are paying as much as 8 cents a gallon more at the pump than they would if oil refiners purchased ethanol to blend.

The broader public policy implications should not be overlooked because the added abuse of consumers frustrates the nation's ability to address the fundamental energy problem. The failure of the oil industry to increase the use of ethanol undercuts the claim that they need to drill in Alaska to solve the problem for two reasons. First, we could increase the production of ethanol much faster and provide a lot more output to displace imported oil than new finds in Alaska could ever produce. Second, the same companies that dominate the gasoline business would control the flow of oil from Alaska, so there is not guarantee that it would have a substantial impact on prices, even if the amount of oil found was significant.

When the American people are asked about the current gasoline situation, they blame oil companies and the Bush administration. This analysis suggests that they are correct in that assessment. The Bush Administration defends the oil companies, whose increased profits and strategic business actions have played a big part in the recent price increases, keeps asking the American people to make hard sacrifices to deal with the problem in the long term, while the oil companies get off easy and policy makers fail to implement the simple and obvious policies

that would help consumers in the short and long term.

The New York Times took the administration to task because President Bush:

''. . . completely ignored the surest way to reduce demand and thus oil dependency, which is to improve the fuel efficiency of America's cars and trucks. Indeed, everything Mr. Bush said seemed designed to divert attention from this simple and technologically feasible idea . . . Then, too, he could not resist the deceptions that make debating energy in Washington such a frustrating matter. These include . . . drilling in the Arctic Natural Wildlife Refuge.''

Pointing out that the ''House bill is dreadful,'' the Times concluded that this ''leaves the job of fashioning a coherent strategy in the Senate's hands.'' Among the ideas with merit that the Times noted for addressing the gasoline problem, in addition to ''stricter fuel economy standards,'' is creating ''biofuels'' from agricultural waste. The irony is that we already have a ''biofuels'' industry that is not being fully utilized.

Until policymakers start advocating sensible and simple policies in the short and long term, American consumers are right to resist the bad policies that are being foisted on them.

Mr. NELSON of Nebraska. The recent decline in ethanol prices, coupled with surging pump prices for gasoline, have created a market dynamic in which increased ethanol use could help curtail record high gas prices. Consumers in many parts of the country where ethanol can be delivered to existing storage and terminal facilities are not receiving lower cost supplies and are paying as much as 8 cents a gallon more at the pump than they would if oil refiners purchased ethanol to blend. Blending high-priced gasoline with more modestly priced ethanol results in a more affordable final product. By using ethanol, oil refiners have an opportunity to pass along real savings to consumers during this period of high gasoline prices.

The Consumer Federation of America cites several reasons for the dramatic increase in gasoline prices, including tight crude oil inventories, inadequate oil refinery capacity, lack of competition, and the oil industry's increasing market power. In contrast to gasoline prices, ethanol prices have actually fallen during the past 6 months.

As an example, the price of ethanol on the Chicago spot market hit $1.82 per gallon in November 2004 but averaged about $1.18 per gallon last month. At these prices, why don't oil companies blend more ethanol to lower consumer prices? We have an opportunity to see that consumers benefit from cleaner burning, affordable, and domestically produced fuel.

Finally, a win for the environment: For environmental and health concerns, the Nation decided to clean up the fuels which have powered America for nearly a century. The Clean Air Act identified numerous areas of the country which must reduce or eliminate their pollution levels. Those areas have been meeting the challenges of the Clean Air Act through changing the gasoline and diesel fuels used, either year-round or seasonally. Studies show ethanol reduces emissions of carbon monoxide and hydrocarbons by 20 percent, and particulates by 40 percent in 1990 and newer vehicles. In 2001 alone, ethanol reportedly reduced greenhouse gas emissions by 3.6 million tons or the equivalent of removing more than 520,000 vehicles from the road.

Now and through the next several years, cleaner and cleaner fuels such as ethanol, natural gas, propane, and biodiesel will be used in cars, trucks, and buses. Today's key issue is to determine which alternatives will extend or replace gasoline and diesel fuel to reduce pollution.

We need to be working hard to craft a comprehensive rural development plan that will spur investment in agribusiness and promote economic activity in the agricultural sector. This Energy bill, and the renewable fuels standard contained within, is an important part of such a rural development plan and is key to reversing the realities of outmigration in the rural areas.

If passed, this fuels language will establish a 4.0-billion-gallon renewable fuels standard in 2006, growing every year until it reaches 8 billion gallons by 2012. This is a responsible approach to meeting the demands of an ever-increasing demand for fuel sources. Additional benefits to this legislation include the displacement of foreign supplies of crude oil, reduction in the U.S. trade deficit, and the creation of tens of thousands of jobs throughout the United States.

It is quite apparent that increased use of ethanol will do much to boost a struggling U.S. agricultural economy and at the same time will help establish a more sound national energy policy.

A choice for renewable fuels is a choice for America, its energy consumers, its farmers, and its environment. It will help us to reverse our 100-year-old reliance on fossil fuels, a more pressing concern than ever given the unrest in the Middle East and increased competition for energy from growing economies throughout the world.

If each State were to produce 10 percent of its own domestic renewable fuel as Nebraska does, America will have turned the corner away from dependence on foreign sources of energy. When you take a hard look at the facts, you will see that this legislation is nothing but beneficial for America.

The Fuels Security Act is balanced, comprehensive, and is the result of the dedication of so many, especially Senator LUGAR and Senator HARKIN.

Now I ask my colleagues to join me in promoting new opportunities for the technologies that will put our Nation and our world's transportation fuels on solid, sustainable, environmentally enhancing ground. We owe it to our country now and to future generations to pass this legislation.

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

The PRESIDING OFFICER (Mr. GRAHAM). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THOMAS. 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. THOMAS. Mr. President, I am delighted that we are now into the debate and soon the passage of our energy bill. This is a bill we have worked on for several years. It is a bill that is an energy policy for this country. It looks ahead through the years and tries to get an idea of what our needs are going to be and how we fill those needs. It is something we really need.

Certainly, everyone recognizes increasingly the profound effect it has on our lives. Look outside at the thousands of cars. All of them are running on gasoline, of course. Look at electricity. We take it for granted. We turn the lights on, and we do not think of where it comes from or how it got there. Air-conditioning is the same. We have noticed that a lot the last few days. Think of what it would be like if we did not have air-conditioning. We would probably be on recess, and I would go back to Wyoming.

All of our technology now is tied to computers. We do not think much about it. This is an opportunity for us to give some analysis to how we provide this and, of course, costs. We do pay some attention to the costs.

We have talked about this for years, and we have had bills on the Senate floor. In the last session, we had bills passed in the Senate and in the House. We went to a conference in which they were put together. We came back to the Senate floor, and over a couple of smaller or singular items, we lost. So we have not had a comprehensive energy bill.

We rely increasingly on foreign resources, some 60 percent or so on foreign oil. Unfortunately, that is continuing to grow. At the same time it grows for us, the demand grows in other countries. Even though there is some increased production, we see a smaller amount coming, and we see the prices continue to go up.

We have greater demand. One of the things that has to be in a policy is a decision about efficient use and conservation so that not only do we talk about supply but we talk about how we can more efficiently use the resources we do have.

We think quite a bit about renewables. We think, Oh, my gosh, we do not need to use oil all the time, there must be a lot of other things. Indeed, there are. The fact is that they are in the future. They are yet in need of a great deal of research, and right now, if we take out hydro, which is a renewable, about 3 percent of our power is provided by renewable energy resources. I am optimistic that over time that can certainly be larger, but right now it is a very small part of the overall mix.

We have natural gas prices which have reenergized the effort, and we

should pay attention to clean coal. Over the years, it has been easier, frankly, and somewhat less expensive to build generating plants that are fueled by gas, and so that is what has happened. We have smaller plants closer to the market, so we do not have to worry about the transmission as much, when the fact is that our greatest fossil resource for the future is coal. Coal is the largest generator of electricity, but we can use gas for many more things than we can coal.

With coal there are some challenges. One challenge is to be able to generate electricity and still take care of the clean air and environmental problems that go with that. So we want to emphasize that need for making clean coal technologies. Hydrogen is an energy that can come from coal as well. In fact, there are plants now being planned that will make synthetic diesel out of coal. So, again, that is an alternative source from where we are now.

We have some alternatives. We are importing a good deal of liquefied natural gas, which is also more expensive and has created, some controversy about the necessary facilities to have dockings for those kinds of things. All of these are very difficult issues.

I have been on the committee a good long time and have enjoyed it very much and certainly appreciate the leadership we are getting from our chairman and also our Democrat ranking member to work toward these things, but I hope that we do look out long term. We are not going to solve these problems next week or next month. We have to look out a little ways and say, all right, what are our needs, how are we going to meet those needs, and what do we have to do in the long term to get there. I hope this is a roadmap for the future. That is what it has been.

For over 4 years now, the President and the Vice President have been working. My colleagues will recall they had an energy task force which became a little controversial for unknown reasons, really, but that was one of the first items this administration talked about, and properly so. One of the controversies was that both of these gentlemen had been in the energy business, but all that did was give them more knowledge about it.

Since that time, we have experienced higher prices and low prices, and now we are back to higher prices. We have experienced blackouts, which, of course, are a possibility at any time.

There are some things we can do in terms of generation. There have been no electric generation plants built in a number of years, and we are right up to capacity, and the same way with refineries. In fact, some say we can get more oil shipped in from other places and refined here, but we do not have the refining capacity. So those are some of the things we need to talk about.

I emphasize again to my colleagues that we need a balanced program. I know we all get involved in different aspects of it as it impacts our communities and our States, but the fact is, when it is all over, we need to deal with alternatives, we need to deal with efficiency, we need to deal with conservation, we need to deal with domestic production, and we need to deal with research for alternatives and renewables. All of those things have to go together.

Then we get into the electric business. We have to talk about transmission and about a lot of things. It is not an easy subject. When a subject is brought to the Senate floor that has that many aspects, many of which affect States and communities differently—for instance, offshore drilling. Well, in Wyoming, we are not too interested in offshore drilling as it affects us. We are interested in it in that it is the largest resource we have for the future. So we have to deal with different facts in different places. We have a chance now to pass a balanced and comprehensive bill.

I am, obviously, very interested in this issue, partly because I am on the committee but more importantly because it is very important for our country. I come from a State that has incredible natural resources. They mean very much to us economically, but more than anything we are a resource for the whole country. We have probably more coal than any other State. We have low sulfur coal. We have coal that burns relatively cleaner than most. We need to continue to make it even more so. We have oil.

Some of the earliest oilfields in the West were in Wyoming, and they continue to produce. We are finding new ways to try to recapture oil that we have not been able to bring out of the Earth. We can do that. We have had a whole new growth of natural gas called methane gas. It is engulfed in water under the ground in the relatively shallow wells. We have uranium. We had uranium mines active a number of years ago, and then we kind of got away from nuclear powerplants. Now there is a new opportunity to go back into that area and some real advantages to that, particularly in terms of clean air and climate control.

Nuclear powerplants, we kind of think, well, that is a funny thing. We do not know much about them. I think 40 percent of the energy in Illinois is produced now with nuclear plants. We are concerned about the waste areas, such as the Yucca Mountain issue out in Nevada. The fact is, however, that there are opportunities to do things better there. We can look again at France. France uses almost all nuclear power. They have a system of recycling uranium so they do not have the waste the way we do. So there are opportunities to do that.

We also have quite a bit of wind, and so we can capture wind energy as well.

These are the kinds of things we must do. We must modernize conservation such as with cars—and we are doing that, but it takes a while—so we get better mileage. We are finding household equipment that better utilizes energy and electricity. We have to modernize our infrastructure. This is a tough one, too.

One of the issues most of us like to talk about is mine-mouth generation for coal-powered electricity but yet generated at the mine. One has to get it to the marketplace, and that takes very efficient transmission, more transmission than we have now.

So these are some of the things we need to do. At the same time we work with more production and different kinds of production with research, we need to protect the environment. We have issues in the West. Half of our State, nearly 85 percent of Nevada is Federal lands. So we have to have a program that allows for multiple use of public lands so that we can continue to use them for grazing, fishing, and wildlife, and at the same time in careful ways we can have production of energy as well.

This bill sets some direction in terms of research and incentives. We are beginning to do what we have not done before that may not be as efficient initially economically, but if we can provide some tax credits, we can provide some sort of assistance, then it will become efficient, and then we can back out of that. The way businesses are initiated into new things is to provide some incentive. These are all things most of us would agree to, and the opportunity to pass them is now.

The House has passed their energy bill, and when we pass ours, we will go to the conference committee and work out some differences. There are some differences, and there will be differences here. There are different ideas about what we do on world climate activities, Kyoto. I have been to several of the Kyoto meetings, and over the whole world there are different ideas. I seek to remind folks when I go there that we are not putting on some of the regulations that some countries are. We want our economy to continue, and at the same time we are spending more in research for clean air and on the global situation than the whole rest of the world put together. What really is important is to find new ways to be able to maintain the economy, manufacturing and production, and do it in such a way that it does protect the economy.

National security, of course, is obviously a real part of this. As we become more dependent on foreign countries' resources, there is some question about our security. We are getting 62 percent of our oil from outside of the United States. Fortunately, much of that comes from Canada, so that is a little less concerning. But we are at the hands of Venezuela and lots of other places if we are not able to be a little more dependent on ourselves. Energy independence depends on the things I have talked about: conservation, efficiency, and new sources of energy.

The global energy demand is changing as well. Certain places, such as China, are using a great deal more energy than they did just a few years ago. So the demand for coal has changed where they are importing the kinds of things they were not importing before. India, the whole Asian picture is changing.

So these are some of the things that I believe we need to take a look at. We need to be realistic about it. Sometimes we get in sort of a fantasy that we can do all of this with renewables and we do not need to worry about oil and coal. Frankly, at least for the foreseeable future, that is not the case. We are getting about 3 percent of our energy from renewables at this point.

We will get more. But, nevertheless, we have to also continue to improve and make sure we have those kinds of sources of energy that we now can depend on.

I am particularly involved and interested in the electricity portion of it. We need to encourage investment in generation as the demand increases—and it does, constantly. Look around our cities. Even in our rural areas, there is an increasing demand. Everything we do demands more energy. We need to generate the energy.

It becomes difficult, of course, particularly on private lands and some Federal lands, to get efficient transmission. We think there are some possibilities of getting more efficient so the same transmission lines can carry a great deal more of a load than they have in the past.

When we get into multiple kinds of ownership, we get controversy about how you have access to the lines and all those things, but we can work those out. That is partly what we are doing.

I again congratulate the leadership on this committee for getting us where we are. I am committed to doing whatever I can to get it through because I think it is so important. I believe we have a good bill, a comprehensive bill, a bill that deals with all the aspects of the future. It helps create jobs and maintain the economy—which is, of course, one of the key things—and to keep this country self-reliant and not dependent on the rest of the world.

I hope we can move forward to deal with the issues, to talk about them. It is all right to have different views. But I hope we don't get into objecting and holding up things just because we have a point of view.

Offshore drilling, already there is some debate about it. We are willing to give the States a lot of their own decisionmaking with regard to offshore. We are not going to tell them what to do.

We can make this work. I hope we can move forward and get this job done. Let's get it done.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Let me say, before the distinguished Senator leaves the floor, how much I appreciate his comments today and his analysis of this bill. But more than that, around the Senate there are some people—I guess, in the parlance of the racetrack, some are show horses and some are work horses. This Senator is a work horse. He has been on this committee for a few years—not as long as this Senator, but that is just because I have been here so long. Hardly anybody has been here longer than this Senator. But he works all the time on this. He knows a lot about this bill. He has some specialties in this area to which he has contributed immensely.

Some things on this bill he is right on. He is more correct than the bill. He didn't get to do what he wanted on some of them, but he understands that we have a good bill.

It is hard work. He was there all the time, helping us, doing his share, pulling his part of the load, helping us get this bill through.

I want those who are aware of him and know of him to understand that is what the Senator from New Mexico thinks about that. I want the record to reflect that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MODIFICATIONS TO AMENDMENT NO. 779

Mr. DOMENICI. Mr. President, I send modifications to the pending amendment to the desk. It has been approved by both sides and the parties to this discussion.

The PRESIDING OFFICER. The amendment is so modified.

The modifications to the amendment (No. 779), are as follows:

1. Page 27, beginning on line 20, delete ''section'' and all that follows through the parenthetical on line 22, and insert ''Title XIV of the Energy Policy Act of 2005''.

2. Page 29, beginning on line 5, delete ''notwithstanding'' and all that follows through the parenthetical on line 8.

3. Page 30, delete lines 5 through 13, and renumber paragraphs (7) and (8) accordingly.

4. Page 39, line 1, delete ''significant'' and insert ''increased''.

5. Page 39, lines 3 and 4, delete ''important to the cost-effective implementatation of'' and insert ''needed to implement''.

6. Page 45, line 11, strike ''the law in effect on the day'' and insert ''any law enacted or in effect''.

7. Page 52, line 4, strike ''2005'' and insert ''2006''.

* * * * *

''(B) RELIANCE ON EXISTING REQUIREMENTS.—To avoid duplicative requirements, in carrying out subparagraph (A), the Administrator shall rely, to the maximum extent practicable, on reporting and recordkeeping requirements in effect on the date of enactment of this section.

''(3) CONFIDENTIALITY.—Activities carried out under this subsection shall be conducted in a manner designed to protect confidentiality of individual responses.

''(c) CELLULOSIC BIOMASS ETHANOL AND MUNICIPAL SOLID WASTE LOAN GUARANTEE PROGRAM.—

''(1) IN GENERAL.—Funds may be provided for the cost (as defined in the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.)) of loan guarantees issued under title XIV of the Energy Policy Act of 2005 to carry out commercial demonstration projects for celluosic biomass and sucrose-derived ethanol.

''(2) DEMONSTRATION PROJECTS.—

''(E) there is a reasonable assurance of repayment of the guaranteed loan.

''(4) LIMITATIONS.—

''(A) MAXIMUM GUARANTEE.—Except as provided in subparagraph (B), a loan guarantee under this section may be issued for up to 80 percent of the estimated cost of a project, but may not exceed $250,000,000 for a project.

''(B) ADDITIONAL GUARANTEES.—

''(i) IN GENERAL.—The Secretary may issue additional loan guarantees for a project to cover up to 80 percent of the excess of actual project cost over estimated project cost but not to exceed 15 percent of the amount of the original guarantee.

''(ii) PRINCIPAL AND INTEREST.—Subject to subparagraph (A), the Secretary shall guarantee 100 percent of the principal and interest of a loan made under subparagraph (A).

''(5) EQUITY CONTRIBUTIONS.—To be eligible for a loan guarantee under this section, an applicant for the loan guarantee shall have binding commitments from equity investors to provide an initial equity contribution of at least 20 percent of the total project cost.

''(6) INSUFFICIENT AMOUNTS.—If the amount made available to carry out this section is insufficient to allow the Secretary to make loan guarantees for 3 projects described in subsection (b), the Secretary shall issue loan guarantees for 1 or more qualifying projects under this section in the order in which the applications for the projects are received by the Secretary.

''(7) APPROVAL.—An application for a loan guarantee under this section shall be approved or disapproved by the Secretary not later than 90 days after the application is received by the Secretary.

(A) increased use of MTBE could result from the adoption of that standard; and

(B) the use of MTBE would likely be needed to implement that standard;

(4) Congress is aware that gasoline and its component additives have leaked from storage tanks, with consequences for water quality;

(5) the fuel industry responded to the fuel oxygenate standard established by Public Law 101–549 by making substantial investments in—

(A) MTBE production capacity; and

(B) systems to deliver MTBE-containing gasoline to the marketplace;

(6) when leaked or spilled into the environment, MTBE may cause serious problems of drinking water quality;

(7) in recent years, MTBE has been detected in water sources throughout the United States;

(8) MTBE can be detected by smell and taste at low concentrations;

(9) while small quantities of MTBE can render water supplies unpalatable, the precise human health effects of MTBE consumption at low levels are yet unknown as of the date of enactment of this Act;

''(II) ending on the effective date of the prohibition on the use of methyl tertiary butyl ether under paragraph (5).

''(D) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $250,000,000 for each of fiscal years 2005 through 2008.''.

(d) NO EFFECT ON LAW CONCERNING STATE AUTHORITY.—The amendments made by subsection (c) have no effect on the law in effect before the date of enactment of this Act concerning the authority of States to limit the

use of methyl tertiary butyl ether in motor vehicle fuel.

SEC. 212. ELIMINATION OF OXYGEN CONTENT REQUIREMENT FOR REFORMULATED GASOLINE.

(a) ELIMINATION.—

(1) IN GENERAL.—Section 211(k) of the Clean Air Act (42 U.S.C. 7545(k)) is amended—

(A) in paragraph (2)—

(i) in the second sentence of subparagraph (A), by striking ''(including the oxygen content requirement contained in subparagraph (B))'';

(ii) by striking subparagraph (B); and

''(vi) REGULATIONS TO CONTROL HAZARDOUS AIR POLLUTANTS FROM MOTOR VEHICLES AND MOTOR VEHICLE FUELS.—Not later than July 1, 2006, the Administrator shall promulgate final regulations to control hazardous air pollutants from motor vehicles and motor vehicle fuels, as provided for in section 80.1045 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this subparagraph).''.

(c) COMMINGLING.—

(1) IN GENERAL.—Section 211(k) of the Clean Air Act (42 U.S.C. 7545(k)) is amended by adding at the end the following:

''(11) COMMINGLING.—The regulations under paragraph (1) shall permit the commingling at a retail station of reformulated gasoline containing ethanol and reformulated gasoline that does not contain ethanol if, each time such commingling occurs—

''(A) the retailer notifies the Administrator before the commingling, identifying the exact location of the retail station and the specific tank in which the commingling will take place; and

Mr. DOMENICI. Just for the benefit of the Senators, I know it is close here to leaving, but we are getting close also to a vote. I am very hopeful that will occur in a couple of minutes here. We will ask for the yeas and nays and have a vote on the ethanol amendment, as modified, which I think will make many people happy, before we draw to a close this afternoon. We will not be closing the Senate, but as far as voting, we will wait until the Senators return from the Nebraska trip on behalf of the late Senator Exon.

Mr. BINGAMAN. 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. DOMENICI. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. OBAMA. Mr. President, I rise today in support of the amendment offered by the Senator from New Mexico.

During the debate on this energy bill, we have already heard and will continue to hear about the importance of strengthening the energy independence of America. The phrase ''energy independence,'' however, must be heard no longer as a routine utterance. It must be heard as an urgent warning of the most serious magnitude.

The sirens are sounding, and I fear that we are not listening.

The days of running a 21st century economy on a 20th century fossil fuel are numbered—and we need to realize that before it is too late. The price of gas is now around $2.24 per gallon. Crude oil is now soaring over $50 a barrel. The Saudis are pumping at near-full capacity, and their own oil minister says that the price of crude will probably stay at this price for the rest of the year. And Goldman Sachs predicts that soon it may reach $100 a barrel.

Imagine what that would do the price of gas—$100 for one barrel of oil.

Our own Department of Energy predicts that American demand will jump by 50 percent over the next 15 years. And as developing countries like China and India continue to grow, the world will be faced with more drivers than it knows what to do with. Right now, there are 800 million cars on the road. By 2050, that number will grow to 3.25 billion.

Think about that 3.25 billion cars guzzling oil that is becoming more limited and more expensive with each passing day. We could open up every corner of the United States for drilling and tell the oil companies to go to town, but with only 3 percent of the world's oil supplies, it wouldn't even make a dent in the problem.

Of course, most of the rest of the world's oil lies in the Middle East, a region we have seen torn by war and terror. Every year, we send $25 billion to these countries to buy oil. It doesn't matter if they are budding democracies, despotic regimes with nuclear intentions, or havens for the madrasas that plant the seeds of terror in young minds they get our money because we need their oil.

What is worse—this oil isn't even well-protected. Over the last few years, terrorists have stepped up their attempts to attack poorly defended oil tankers and pipelines. And a former CIA agent tells us that if a terrorist hijacked a plane in Kuwait and crashed it into an oil complex in Saudi Arabia, it could take enough oil off the market and cause more economic damage in the United States than if a dirty nuclear weapon exploded in downtown Manhattan.

Recently, I came across a quote from Henry Ford, the carmaker, who said these prophetic words in 1916:

> All the world is waiting for a substitute to gasoline. When that is gone, there will be no more gasoline, and long before that time, the price of gasoline will have risen to a point where it will be too expensive to burn as a motor fuel.

Mr. FORD was right—he was just ahead of his time. His words were spoken before the shocks to our economy caused by the oil crisis of the 1970s, before the world's oil fields became areas of turmoil and terrorism, before growing nations like China and India joined us at the trough of massive petroleum consumption.

We need a 21st century energy policy. Whether this bill accomplishes that remains to be seen. But it is clear that part of the solution must be greater use of renewable fuels instead of continued reliance on foreign oil. That is why I am astonished that there is any effort in this Chamber to eviscerate a renewable fuels standard that can and will—further America's energy independence while also strengthening our economy.

The Nation's ethanol production is expected to exceed 4 billion gallons this year. In the coming years, ethanol production is expected to be so robust that as much as 8 billion gallons of renewable fuels could be in our fuel supply by 2012.

Right now, outside Washington, in cities and towns, on farms and in factories across America, there is hope for us to do so much more than we have been doing on energy. Whether it is farming the corn in Galesburg that can fuel our cars or fine-tuning the microchip in Chicago that let's us plug them in, people are taking America's energy future into their own hands with the same sense of innovation and optimism that has always kept our country on the forefront of discovery and exploration.

They deserve a government that can see that future too.

The American people are asking us to address high gas prices. The American people are asking us for greater national security. The American people are asking us to invest in job creation. The renewable fuels standard in the Domenici amendment proposes to do just that in 7 years, and I am proud to be a cosponsor of the amendment.

Instead of continuing to link our energy policy to foreign fields of oil, it should be linked to farm fields of corn. I urge my colleagues to support the Domenici amendment.

Mrs. FEINSTEIN. Mr. President, I rise today to oppose Senator DOMENICI's amendment to require that U.S. refiners blend 8 billion gallons of ethanol into gasoline each year by 2012.

I think this is a mistake that will cost the Federal treasury $2 billion by the time it is fully implemented and could further pollute California's air.

In my home State, the mandate will mean that refiners must choose between blending ethanol into gasoline or using a costly credit/trading system.

Either choice will mean California consumers pay more at the pump.

Accordiing to the California Air Resources Board, California would be able to mitigate the air quality impacts of a mandate if it were limited to 6 billion gallons or less.

With a 6 billion gallon mandate, refiners in California would be required to use about 660 million gallons of ethanol, which they could accomplish in the cooler winter months alone.

However, at 8 billion gallons, the State's refiners would be forced to use about 880 million gallons of ethanol and they would either have to use ethanol in the hot summer months, when it could pollute the air, or buy costly ''credits'' for not using ethanol.

While we do not know exactly how the credit trading system will work, it

is estimated that the credits would cost about 40 cents per gallon of ethanol.

So if California refiners were not able to use about 220 million gallons of ethanol per year, it could cost $88 million annually to buy the credits—money that would inevitably be passed on to drivers.

I do want to thank Chairman DOMENICI for including two provisions in the amendment that could help my State: repealing the 2 percent oxygenate standard; and maintaining the summertime waiver for California.

The Federal 2 percent oxygenate standard has forced areas with poor air quality, including the entire State of California, to use either MTBE or ethanol in gasoline.

This Federal requirement has forced California's refiners to use an oxygenate even though they can make cleaner-burning gasoline without MTBE or ethanol.

To meet this oxygenate requirement, California has been forced to use ethanol since 2004 when the State officially banned MTBE, although many refiners in the State started using ethanol as early as 2003.

Beginning in the Summer of 2003, ethanol was found to have had a detrimental impact on the State's air quality. And on August 1, 2003 the California Environmental Protection Agency informed me that:

> . . . our current best estimate is that the increase in the use of ethanol-blended gasoline has likely resulted in about a one percent increase in emissions of volatile organic gases (VOC) in the SCAQMD [South Coast Air Quality Management District] in the summer of 2003. Given the very poor air quality in the region and the great difficulty of reaching the current federal ozone standard by the required attainment date of 2010, an increase of this magnitude is of great concern. Clearly, these emission increases have resulted in higher ozone levels this year that what would have otherwise occurred, and are responsible for at least some of the rise in ozone levels that have been observed.

I will provide a copy of this letter for the record.

In September 2004, the California Air Resources Board sponsored a study by the Coordinating Research council entitled ''Fuel Permeation From Automotive Systems.''

The purpose of the study was to find out if three different fuels had different chemical properties that made one evaporate more rapidly then the others.

The fuels that were studied were MTBE-blended gasoline, ethanol-blended gasoline, and gasoline with no oxygenate.

The study found that emissions increased from all 10 of the gas tanks and engines that were studied when ethanol replaced the MTBE in gasoline.

In fact, the ethanol blended gasoline caused emissions to increase by 65 percent when compared with MTBE blended gasoline, and by 45 percent when compared with non-oxygenated gasoline.

Here's why: ethanol-blended gasoline evaporate from the car's parts faster and does so in a vapor form. Those vapors cause smog.

Ethanol's evaporative tendencies only get worse in hot climates. The Air Resources Board has since found that the use of ethanol on hot summer days increases emissions of ozone forming compounds by about 75 tons per day above what they would be if we were allowed to use summertime gasoline without ethanol.

This is important because ozone can cause respiratory difficulties in the elderly and those with asthma.

There is a strong direct relationship between temperature and ethanol—the hotter the day, the higher the emissions. On a 100 degree day, emissions are four times higher than on a 68 degree day. Therefore, the worst time to use ethanol is in the summer months.

Overall, the Air Resources Board believes that ozone levels in California are about 1 to 2 percent higher than they should be because of the oxygenate requirement.

This is a significant problem. Almost all of California's 37 million residents already breathe unhealthy air. Current levels of ozone pollution annually result in an estimated 630 premature deaths; 4,200 hospitalizations for respiratory diseases; and 3.7 million school absences.

The Energy Committee approved my amendment to this bill to provide California with a waiver so that the State does not have to use ethanol in the summertime when ethanol-blended gasoline impacts air quality the most.

I do appreciate the fact that Chairman DOMENICI has retained this waiver in his amendment. However, I still believe the ethanol mandate is bad public policy, which increases the cost of gasoline for consumers; does next to nothing to reduce oil consumption to increase energy security; and, has severe impacts on the federal budget.

Last month, the Director of the Petroleum Division at the Energy Information Administration stated before the House Government Reform Committee that:

> . . . refiners lost production capability when replacing MTBE with ethanol. This, along with continued demand growth, has contributed to price pressures. From 2000 through 2002, California retail gasoline prices averaged about 19 cents per gallon more than the U.S. average gasoline price, but in 2003 as MTBE began to be removed, California prices averaged 27 cents per gallon higher than the U.S. average, and remained at that level through 2004.

So far this year, California's gasoline prices are at least 23 cents higher than the U.S. average.

Much of this additional cost can be attributed to the cost of transporting ethanol. Because ethanol cannot be transported through the existing pipeline infrastructure and has to be trucked from the Midwest to the coasts, it adds another 10 cents to the retail cost of gasoline.

In other words, adding ethanol to our gasoline has increased the cost at the pump.

Moreover, the ethanol mandate does not improve energy security. The ethanol mandate will only reduce U.S. oil consumption by one-half of one percent when the 8 billion gallon mandate is fully implemented in 2012.

In addition, since ethanol has a somewhat lower energy content, more fuel is required to travel the same distance.

This energy loss leads to an approximate 3 percent decrease in miles per gallon vehicle fuel economy with ethanol-blended gasoline.

And finally, I would like to point out how expensive this mandate is. Ethanol receives a tax credit of 51 cents per gallon. If the mandate were to increase to 8 billion gallons by 2012 from the 3.85 billion gallons of ethanol sold today, that would mean a net loss of an additional $2 billion to the U.S. Treasury.

We should not be imposing a larger mandate for ethanol at a time when the ethanol industry already receives such a huge subsidy, and when the Nation has such huge budget deficits.

We need to either eliminate the mandate or end the subsidy. We can keep one or the other but not both.

Yes, the provision to allow California not to use ethanol in the summertime is a win for California's air quality. But the mandate, itself, could well be a loss for consumers and the Federal Treasury.

I hope my colleagues will join me in opposing this amendment.

I ask unanimous consent that the letter from which I quoted be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY,
Sacramento, CA, August 1, 2003.

Hon. DIANNE FEINSTEIN,
U.S. Senate, Hart Senate Office Building, Washington DC.

DEAR SENATOR FEINSTEIN: Thank you for your letter dated July 15, 2003, in which you requested that the California Environmental Protection Agency and the California Air Resources Board (ARB/Board) investigate the impacts of ethanol-blended gasoline and its potential contribution to the recently degraded air quality in Southern California.

Like you, I am extremely concerned about the recent increase in the number of exceedances of the federal ozone standard and the high elevated peak ozone levels observed in the South Coast Air Quality Management District (SCAQMD) this summer. As you observe in your letter, the air quality in the Los Angeles Basin has deteriorated this year, concurrent with a dramatic increase in the use of ethanol-blended gasoline.

All of the causes of this year's increased ozone are not yet known. In the two weeks since you wrote, the ARB has not had sufficient time to fully determine the role that ethanol-blended gasoline has played relative to other factors. We do know that weather conditions have played a very important role, and that increased use of ethanol-blended gasoline has increased emissions over what they otherwise would have been. That said, I also think it is fair to point out that

the impact of ethanol-gasoline blends, while significant and of great concern in California's ongoing efforts to reduce ozone, is not large enough to explain the majority of air quality deterioration that occurred in the SCAQMD this summer.

Unfortunately, at this time we are not able to precisely quantify the magnitude of the impact that higher emissions associated with the increased use of ethanol-blend gasoline has had relative to either weather or other factors affecting this year's ozone pollution. However, I would like to convey what we know today about the potential impact of ethanol use on emissions of smog forming compounds in Southern California.

As you know, as part of our efforts to obtain a waiver from the two percent oxygen requirement that now applies to most of the gasoline sold in California, the ARB has prepared extensive analyses of the impact of ethanol-gasoline blends on emissions and air quality. This information was submitted to the U.S. Environmental Protection Agency (U.S. EPA) to support our waiver request, and showed that emissions of ozone and particulate matter precursors would be reduced in California if U.S. EPA approved the waiver request. '

In addition to the information previously submitted, the ARB has continued to conduct studies to further our understanding of how ethanol-blended gasoline would affect emissions in California. As is explained below, our current best estimate is that the increase in the use of ethanol-blended gasoline has likely resulted in about a one percent increase in emissions of volatile organic gases (VOC) in the SCAQMD in the summer of 2003. Given the very poor air quality in the region and the great difficulty of reaching the current federal ozone standard by the required attainment date of 2010, an increase of this magnitude is of great concern. Clearly, these emission increases have resulted in higher ozone levels this year than what would have otherwise occurred, and are responsible for at least some of the rise in ozone levels that have been observed.

To elaborate on the ARB's analyses, there are several ways that the use of ethanol in gasoline could potentially increase VOC emissions. The most import factors are: increased volatility of gasoline; the commingling of ethanol and non-ethanol blends in vehicle tanks; and permeation of ethanol through hoses and fuel system components.

Your letter mentions the potential for ethanol to increase the volatility of gasoline. Increases in volatility lead to increases in evaporative emissions from both the fuel distribution system and from vehicles. This effect may result in emission increases in other parts of the Nation where volatility of ethanol-gasoline blends is not tightly controlled. However, the California Phase 3 Reformulated Gasoline regulations, which ban the use of Methyl Tertiary Butyl Ether (MTBE) in California gasoline, anticipated this effect and required all gasoline to meet the same volatility standards whether ethanol was used or not. In addition, these regulations actually slightly lowered the volatility limit that most gasoline must meet. Therefore, we do not believe that this factor is contributing to increased VOC emissions in California.

Commingling emissions occur when consumers fill their fuel tanks and mix ethanol and non-ethanol gasolines. The California Phase 3 Reformulated Gasoline regulations were designed to preserve the existing Phase 2 Reformulated Gasoline vehicle emission benefits and to provide additional emission reductions to offset potential commingling effects. However, in 1999 when these rules were adopted, there was limited information on the real-world effects of commingling, and the ARB committed to further analyze this issue.

Board staff recently completed a study of the likely emissions impacts of commingling in California. Based on this study, we continue to believe that the California Phase 3 Reformulated Gasoline regulations provide adequate compensating reductions to offset the emission increases due to commingling. The findings in the commingling study have been submitted to the University of California for formal peer review, and the review is expected to be completed within the next month.

Increases in permeation emissions occur due to ethanol's greater propensity (relative to most other components of gasoline) to leak through the soft components of fuel lines and through other parts of the fuel system. Because this effect was not adequately quantified when the ARB adopted the California Phase 3 Reformulated Gasoline regulation in 1999, ARB staff was directed to investigate these impacts and to return to the Board with recommendations on whether there is a need to take further actions to address those impacts.

Preliminary results from this study are now available, and strongly suggest that permeation impacts are both real and significant. The ARB's analyses indicate that this effect could increase ethanol evaporative hydrocarbon emissions by between 10 and 15 tons per day in the SCAQMD at the current level of ethanol use.

The information presented above is especially relevant in light of the recent decision by the 9th Circuit Court that overturns U.S. EPA's denial of California's oxygen content waiver request, and requires U.S. EPA to reconsider this issue. ARB believes that the information now available on the impact of ethanol in gasoline on VOC emissions must be part of U.S. EPA's reconsideration. We believe that the data on commingling and permeation effects demonstrate that U.S. EPA's denial of California's waiver request, which was based on its conclusion that granting the waiver might lead to an increase in overall VOC emissions due to commingling effects, was in error. As part of our effort to gain a reversal of this waiver denial, California is now preparing an information package to submit this information to the U.S. EPA.

I hope the information provided above is of value to you. As in the past, I am sure that your office will be of great assistance in assuring that California receives the needed waiver, and I look forward to working with you on this effort. Relative to understanding the factors that contributed to higher ozone levels this summer, the ARB staff will continue to work closely with SCAQMD staff to understand the cause of the recent increases in ozone levels in southern California. We will keep you informed of the results of this effort. If you have any additional questions about this important issue, please feel free to contact me, at (916) 323–2514, or Alan C. Lloyd, Ph.D., Chairman, ARB, at (916) 322–5840.

Sincerely,

WINSTON H. HICKOX,
Agency Secretary.

Mr. SALAZAR. Mr. President, I rise in strong support of the bipartisan amendment to increase the renewable fuels standard. I am proud to be a cosponsor of this commonsense amendment—and honored to join the senators, such as Senators JOHNSON and LUGAR, who have been working on this issue literally since its inception.

My parents always taught me that it was important to understand the history of our family, the lands around us and our Nation. I don't think it's out of the question for us to take a moment to reflect on the history of ethanol, too.

The use of ethanol in this Nation reaches back more than a century. Henry Ford's Model T was designed to run on ethanol. During World War I, ethanol accounted for 20 percent of vehicle fuels and during World War II we converted whiskey distilleries to produce fuel ethanol. Ethanol helped combat the oil crisis of the 1970s and was pivotal in the phase-out of leaded gasoline in the early 1980s.

Now we have an opportunity to move forward again with ethanol, which Henry Ford referred to as the ''fuel of the future''. Last year this Nation used 140 billion gallons of motor fuel, but only 3.45 billion gallons of ethanol and biodiesel. In other words, in 2004 only 2.5 percent of our Nation's fuel was renewable. The amendment we are considering now calls for 8 billion gallons of ethanol and biodiesel to be produced in America by 2012. This will represent slightly less than 5 percent of the transportation fuel that will be used in 2012.

At the moment, most of our biofuels are ethanol, and most of that is derived from corn. But this legislation helps the country to transition to producing more biodiesel and more diverse ethanol feedstocks. This transition to a more diverse set of feedstocks will help our national security and national economy, because it will allow farmers from all over the country to grow crops that can be used to make transportation fuels. These diverse feedstocks will include potatoes, tobacco, sugar, wood waste and more. And while this amendment works to diversify the feedstocks for renewable fuels, it also contain very good incentives to establish cellulosic ethanol. This is the ethanol of the future and we need to develop it. While current ethanol has a positive energy return of around 35 percent, cellulosic ethanol has the potential to return as much as 500 percent of the energy required to make it. This will be a significant advance in our quest to set America free from foreign oil.

The amendment is meant to send a very clear signal to the market that America is committed to this cheap, clean and reliable energy source. This amendment is not, as some of my colleagues have suggested, an ''outrage.'' This amendment is good for Colorado, good for America, and good for the environment.

First of all, this amendment is good for Colorado. Rural economies in Colorado and across the country need help. We cannot continue to maintain the policies that have made rural America the forgotten America. It is said that a rising tide lifts all boats, but too often the tides never reach the Main Streets of our rural communities. Ethanol can help make it possible for everyone to benefit from economic growth.

Domestically produced biofuels can provide that assistance, in the form of good jobs, an influx of construction dollars, and new markets for local agriculture. In Colorado alone, new ethanol plants are planned for Windsor, Evans, and Sterling. There is some talk of future ethanol plants in Fort Morgan, Commerce City, and Lamar. The facility in Sterling is under construction now and should be up and running by October of this year. It will employ about 32 people and may add up to 100 secondary jobs. The facility hopes to supply about 1 million gallons of ethanol each year.

For biodiesel, we have small producers in Berthoud and in Denver, and a new production and blending facility will come on line in Monte Vista this year that should be producing biodiesel fuel within the next two months and will employ 12 people around the clock. Once in full production, this Monte Vista plant should create a ripple effect of up to 200 additional jobs. And right now, in my own San Luis Valley, canola is being grown specifically for the production of biodiesel.

This amendment also includes potatoes as a possible feedstock for biofuel. The San Luis Valley grows, but cannot use, tons and tons of potatoes each year. The amendment allows for the possibility that someone in the San Luis Valley will pick up on this cheap feedstock and turn it into fuel.

Second, this amendment is good for America. It is a simple fact that our dependence on oil from a politically unstable region of the world puts our I national security at risk.

Remember what we are dealing with when we are so dependent on foreign sources of energy. Our four top sources for oil are Saudi Arabia, Canada, Mexico and Venezuela. It is no secret that stability in Saudi Arabia is an open question, and each week records a new outrage from the President of Venezuela.

Developing our own transportation fuels directly reduces this dependence on foreign oil and frees our nation to better protect its citizens from economic or other harms. The production and use of 8 billion gallons of ethanol and biodiesel by 2012 will displace more than 2 billion barrels of crude oil, and it will reduce the outflow of dollars to foreign oil producers by more than $60 billion.

By reducing our dependence on foreign oil and the unstable governments that provide it, we strengthen our national security. By reducing our trade deficit, we strengthen our economy. This amendment does both.

Finally, ethanol and biodiesel are good for the environment. There is no monopoly on concern for protecting our natural heritage. Everyone in this chamber share the goal of clean air, and ethanol is a simple, direct route to getting there. Net carbon dioxide emissions from biofuels are lower than from fossil fuels, because the carbon released during combustion was taken out of the air by the agricultural crops in the first place.

According to Argonne National Labs in Illinois, in 2004 ethanol use in the U.S. reduced greenhouse gas emissions by approximately 7.3 million tons, equivalent to removing the annual emissions of more than 1 million cars from the road. According to the EPA, ethanol can reduce the production of carbon monoxide, one of the chief ingredients of smog, by as much as 30 percent. In fact, ethanol can reduce urban smog more than any other fuel available.

Supporting this, amendment is the common-sense thing for the Senate today. It's a win for big cities and rural small towns alike. It benefits the environment while putting us on a stronger economic and national security footing. How often are we presented with an opportunity to implement policy that benefits every person in this country? To pass it up would be a I shame.

In closing, Mr. President, I reiterate that I am proud to cosponsor this amendment to establish a strong renewable fuels standard. It is a clear-cut case of what we can do when we work together—Republicans and Democrats—to fix problems that face our country. I wish it were not such a I unique development.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. JEFFORDS. Mr. President, I regret that I am unable to be present for the vote on the Domenici renewable fuels amendment, No. 779. I support this amendment, and I am pleased that a majority of my colleagues do as well. The Domenici amendment makes a significant step toward reducing our Nation's reliance on foreign oil. For 30 years I have been a supporter of renewable energy and alternative fuels, and I support this amendment which will require 8 billion gallons of ethanol in gasoline by 2012.

The Energy Committee's reported Energy bill sought to promote the use of biomass ethanol, biodiesel, hydrogen and biogas. I appreciate that effort. But, as we move forward with increased production of these renewable fuels, we must do so in a manner that is environmentally sound.

We cannot separate energy policy from environmental policy. The Senate Energy Committee reported bill encompasses many provisions in the jurisdiction of the Environment and Public Works Committee. Unfortunately, the only provision in this bill that was actually considered by the Environment Committee is the renewable fuels program. The reason is that boosting the use of ethanol in gasoline has significant Clean Air Act implications, and we must ensure that conforming changes to the Clean Air Act are made to ensure no worsening of air quality. As included in the reported version of the Energy bill, giving the Department of Energy authority for a new billion gallon renewable fuels program does not accomplish our dual objectives of increasing the use of renewable fuels while maintaining our Nation's air quality.

Prior to the Energy Committee consideration of this renewable fuels provision, Senator INHOFE wrote Senator DOMENICI regarding the need for changes in the Clean Air Act for an ethanol mandate to be effective. The Environment and Public Works Committee has repeatedly approved legislation to make such changes in the Clean Air Act to make the ethanol mandate work and for the environment, air quality and public health to be protected.

The Domenici amendment is basically the same as the measure, S. 606, approved earlier this year by the Environment and Public Works Committee but with a higher ethanol mandate and updated to prevent backsliding on toxic emissions. The amendment phases out the use of methyl tertiary butyl ether, or MTBE, within 4 years. This phase-out will be accomplished more safely because refiners will be required to maintain no worse toxic emissions than occurred in 2001–2002. Those were much better performing years than the 1999–2000 baseline in S. 606. The amendment also provides EPA with authority to regulate fuels and fuel additives for the protection, not just of air, but of water resources too. This is an important provision that will allow EPA to take action should another fuel additive prove a threat to drinking water.

In addition, the amendment eliminates the oxygen content requirement for reformulated gasoline—RFG—that was put into the 1990 Clean Air Act Amendments. EPA is required to issue regulations to ensure that all nonattainment areas use RFG that contributes less to smog. The Agency must also regularly require fuel and fuel additive manufacturers to conduct health and environmental studies and make them public and to update its complex model for vehicle emissions from the outdated 1990 baseline vehicle. Further, governors in the ozone transport region may opt-in to the RFG program for their entire State, not just a nonattainment area. The amendment also sets up an automatic check-back to see what impacts the fuel system changes, the ethanol mandate and the MTBE phase-out will have on health, air quality, gasoline prices and supply, and other factors.

Oil companies began adding MTBE to gasoline as early as 1979 and by 1991, 1 year before the Clean Air Act oxygenate requirement went into effect, oil companies were using more than 100,000 barrels of MTBE per day.

These facts belie the oil companies' argument that Congress made them use MTBE and therefore Congress should stop the lawsuits. It is a well-established fact that oil companies were using MTBE years before the Clean Air Act oxygenate requirement went into effect. The Clean Air Act does not mandate the use of MTBE, and the fact

that there was any oxygenate requirement in the Clean Air Act at all was due in part to oil industry lobbying.

Earlier today there was also a rollcall vote on the Schumer amendment, No. 782. Had I been present, I would have voted in opposition to the amendment offered by the Senator from New York, Mr. SCHUMER.

The Senator from New York, Mr. SCHUMER, was proposing to strike the whole second subtitle, Subtitle B, from the Domenici amendment. While the Senator from New York, Mr. SCHUMER, argues that his strike merely eliminates the ''mandate'' of requiring ethanol in gasoline, it does much more. First, the fact that it eliminates a national commitment to use ethanol in gasoline at significant volumes should not be overlooked. Second, the Domenici provision would promote diversification in ethanol production by promoting the development of cellulosic biomass ethanol. This is an important new technology, designed to produce ethanol from wood waste, plant materials, and animal waste, in addition to corn and soybeans. It will allow more States the opportunity to produce ethanol with locally appropriate and available materials.

In addition, to address the concerns of the Senator from New York, Mr. SCHUMER, there is detailed language in the part of the Domenici amendment he seeks to strike that would allow States to seek waivers from the use of ethanol in the event that there is disproportionate economic hardship. I think that this is the appropriate way to proceed. High gasoline prices and dependence upon foreign sources of oil are already causing economic hardship, and now is the time to try to get more domestically produced ethanol blended with our gasoline so that we can reduce that dependence.

Though I support removing the liability shield for renewable fuels in Subtitle B of the Domenici amendment, I think that the Schumer amendment is too drastic a tool to deal with the price concerns of his State and moves us away from a serious national commitment to renewable fuels. For those reasons, I would have opposed Senate Amendment 782 had I been present.

I support efforts to increase the use of renewable fuels. I believe it can and should be done in a way that is protective of this country's air, land and water. That means not allowing gasoline to become dirtier. And that means maintaining EPA's role in regulating fuels to improve air quality while protecting current and future drinking water sources and not transferring these authorities to the Energy Department. The Domenici amendment accomplishes those objectives and I am pleased it has been added to the bill.●

Mr. DURBIN. Mr. President, I rise today in support of the renewable fuels standard, RFS, amendment. This important amendment, which I have cosponsored, will create a nationwide standard for the use of renewable fuels.

A renewable fuels standard is created that will increase the use of domestically produced renewable fuels to 8 billion gallons by 2012. The bill also allows the Nation's refiners to buy credits from refiners that use ethanol in other States to meet the requirement, ensuring additional refiner flexibility to use ethanol where it is most efficient and economical.

In Illinois, roughly one in every six rows of corn, approximately 280 million bushels is the source for ethanol. Illinois ranks second in the Nation in corn production, with more than 1.5 billion bushels produced annually, and is the Nation's leading source of clean-burning ethanol. Illinois currently has five ethanol plants, with two other plants in production. Corn grown in Illinois is used to make 40 percent of the ethanol consumed in the United States. More than 95 percent of the gasoline sold in the Chicago area contains 10 percent ethanol.

Investment in the ethanol industry in Illinois exceeds $1 billion, generating 800 jobs in plant operations and 4,000 jobs in the industry-related service sector. In fact, Illinois ethanol production alone has increased the national market price for corn by 25 cents per bushel.

Illinois farmers stand ready and eager to contribute to our Nation's energy security, and the benefits extend to the environment as well. Replacing Mideast oil with Midwest ethanol is a winner for everyone but the oil sheiks. When we can use our Illinois agricultural expertise to reduce our dependence on foreign suppliers, the whole Nation benefits.

This expanded role for renewable fuels means more than a boost to industry; it means jobs to rural America, and increased energy security. And in contrast to the environmental damage that can be caused by drilling for oil, the only drilling required to produce ethanol is the initial inch and a half deep planting of the corn seed. And for the soybeans used to make biodiesel, the seeds are only drilled an inch into the ground.

American farmers are the foot soldiers in our battle for energy independence. Farmers throughout the country have come together to build ethanol production facilities that, in many instances, have become the backbone of a regional rural economy. In fact, farmer-owned ethanol plants, taken together, are the single largest segment of the U.S. ethanol industry. As we look for solutions to high oil prices, we must remember that renewable fuels are viable alternative fuels—domestically produced and environmentally friendly.

Cleaner burning biofuels, that can be produced, transported and combusted with major environmental benefits will contribute to cleaner and healthier air and less water and soil pollution. Importantly, biofuels, being essentially greenhouse gas neutral, will also contribute to achieving environmental goals while advancing the economies of rural America.

According to an analysis completed by renowned economist John Urbanchuk of LEGC, Inc., an RFS that grows to 8 billion gallons of ethanol by 2012 would have a significant impact on both the farm and overall economy over the next decade.

It would reduce crude oil imports by 2 billion barrels and reduce the outflow of dollars largely to foreign oil producers by $64 billion.

It would create 234,840 new jobs in all sectors of the U.S. economy.

It would increase U.S. household income by $43 billion.

It would add $200 billion to GDP between 2005 and 2012.

It would create $6 billion in new investment in renewable fuel production facilities.

And it would result in the spending of $70 billion on goods and services required to produce 8 billion gallons of ethanol and biodiesel by 2012.

Renewable fuels provide for a dependable domestic source of energy that increases fuel supplies, reduces our reliance on foreign oil, and enhances our ability to control our own security and economic future—while helping our farmers by increasing demand for their crops. Increasing the use of ethanol and other renewable fuels achieves many positive public policy goals.

This amendment should be adopted.

Mr. DOMENICI. Mr. President, we are ready to vote on the ethanol amendment, as modified.

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. MCCONNELL. The following Senators were necessarily absent: The Senator from Idaho (Mr. CRAPO), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Alaska (Mr. STEVENS).

Further, if present and voting, the Senator from Idaho (Mr. CRAPO) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Vermont (Mr. JEFFORDS) is necessarily absent.

The PRESIDING OFFICER (Mr. BURR). Are there any Senators in the Chamber desiring to vote?

The result was announced—yeas 70, nays 26, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—70

Akaka	Byrd	DeWine
Allen	Cantwell	Dodd
Baucus	Carper	Dole
Bayh	Chafee	Domenici
Bennett	Chambliss	Dorgan
Biden	Cochran	Durbin
Bingaman	Coleman	Enzi
Bond	Collins	Feingold
Brownback	Conrad	Frist
Bunning	Cornyn	Graham
Burns	Craig	Grassley
Burr	Dayton	Hagel

Harkin
Hatch
Hutchison
Inhofe
Inouye
Isakson
Johnson
Kerry
Kohl
Landrieu
Levin
Lincoln
Lugar
Martinez
McConnell
Mikulski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reid
Roberts
Salazar
Sarbanes
Sessions
Smith
Snowe
Stabenow
Talent
Thomas
Thune
Vitter
Voinovich

NAYS—26

Alexander
Allard
Boxer
Clinton
Coburn
Corzine
DeMint
Ensign
Feinstein
Gregg
Kennedy
Kyl
Lautenberg
Leahy
Lieberman
Lott
McCain
Reed
Rockefeller
Santorum
Schumer
Shelby
Specter
Sununu
Warner
Wyden

NOT VOTING—4

Crapo
Jeffords
Murkowski
Stevens

The amendment (No. 779), as modified, was agreed to.

Mr. DOMENICI. I move to reconsider the vote.

Mr. SUNUNU. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate stands in recess until 2:15 p.m.

Thereupon, at 12:30 p.m., the Senate recessed until 2:18 p.m. and reassembled when called to order by the Presiding Officer (Mr. SUNUNU).

ENERGY POLICY ACT OF 2005—Continued

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. DOMENICI. 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. 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 note the presence of the distinguished Senator from Washington, Ms. CANTWELL, on the floor. We have agreed heretofore that her amendment would now be the subject matter before the Senate. I understand the Senator is prepared to offer it.

Ms. CANTWELL. Mr. President, yes.

Mr. DOMENICI. Mr. President, may we have a copy of the final draft of the amendment?

Ms. CANTWELL. Yes, we will send the amendment to the desk.

Mr. DOMENICI. We have it. I wonder if we can discuss what the Senator's pleasure is. We have nothing else pending but her amendment for at least a couple of hours or more. How much time does the Senator think she might need?

Ms. CANTWELL. Mr. President, I know there are many colleagues who want to talk on this issue. I do not know how many members on the other side of the aisle want to speak. I would think we can dispose of this within a couple of hours. That would be my guess.

Mr. DOMENICI. Mr. President, we will not set a specific time, but let's talk about a couple of hours. I gather that the Senator would not need all that time continuously, if somebody desired to speak. I ask the Chair to recognize the Senator to answer my question.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. That is correct. I think we will start the debate on the Cantwell amendment, and if other Members want to address that or other issues, we are happy for them to come down and address those issues as the afternoon progresses.

Mr. DOMENICI. It is the understanding—and I hope Senator CANTWELL would comply—that there will not be any other subject matter come up. I ask unanimous consent that no other amendments be in order while this discussion is taking place, other than discussing the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMENICI. Mr. President, having said that, Senators on our side have heard we will be on this amendment for 2 hours, probably longer. If any of my colleagues desire to come down and debate the issue, I would very much appreciate them letting us know or, in fact, come to the floor and we will arrange for them to speak.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the chairman of the Energy Committee for his participation and help in clarifying this next segment of debate on the Energy bill. While I think we have several issues left to discuss, I think it is very important to realize what a milestone we have achieved. After a couple of sessions of the Senate trying to get energy legislation, we are now on the precipice of having an energy bill that has great bipartisan support.

I compliment the chairman of the Energy Committee for his hard work and diligence in getting an energy bill that has such great bipartisan support. As a member of the Energy Committee and as a relatively new Member of the Senate, I can tell you how honored I was that Senator DOMENICI visited me in my office to talk about the issues impacting the Northwest—because we have been hard hit by an energy crisis in the last several years—and his willingness to work with my office on those Northwest issues, particularly related to the hydro system.

I can say with certainty that just about every member of the Senate Energy Committee participated in the markup of this legislation by getting ideas and concepts into the Energy bill. While each of us have different perspectives because we represent different regions of the country, people should realize that getting an energy bill is a very important step forward in our Nation.

I contrast that to the House version. The House version reminds me of where we were in the Senate version 2 years ago, except for the House version just kept going in the wrong direction. It basically has what I call ''gratuitous special interest deals'' relating to groundwater pollutants. This includes letting MTBE manufacturers off the hook from their liability, something I know the Presiding Officer has concerns about. The House bill also has rollbacks of the Clean Air Act, the Clean Water Act, the National Environmental Policy Act and the Safe Drinking Water Act. I think these are bad precedents to set.

I am trying to bring attention to the fact that the product we are starting with in the Senate is good legislation. The next week and a half will probably make this legislation even better, as Members who are not on the committee bring up issues, some of which, Members who are on the committee left to be discussed by all the Members on the Senate floor.

Something of particular importance to the Northwest is the electricity title in this legislation. Establishing the electricity title was a very meaningful step toward responding to the scandalous Enron crisis and the unethical practices of market manipulation. We are really getting tough on energy traders and executives who perpetrate the kinds of abuses that we saw in the western energy market. We are sending a message to those industries and businesses that the consumer will not provide the deep pocket for Enron kinds of bankruptcies.

I am grateful to the chairman and the ranking member from New Mexico for their hard work on this legislation. There was a great irony taking place the moment the Senate was about to make a decision on changing the filibuster rules. Members of both sides of the aisle and all their staffs were hard at work marking up a very comprehensive energy bill in a very bipartisan fashion. If people were there, they would have realized it was the Senate at its best doing its best work.

There are still outstanding issues that we decided we were going to bring to the Senate floor. Some of those issues were related to a variety of concerns that we thought were best addressed on the Senate floor. One of the issues that I think is important to bring up is my amendment on energy security. It is an amendment that will set a national goal for getting off our overdependence on foreign sources of oil. I am pleased to be able to offer that amendment with Senators DURBIN, SALAZAR, and KERRY because it is important that energy independence be

part of our strategy for a national energy policy.

Many Americans are feeling this overdependence at the gas pump today. They know we are overdependent on foreign oil. They want to see more competition in gas prices. Americans may not realize that now the United States imports about 58 percent of our oil supply. That is about 11 million barrels a day. This number is expected to grow to about 62 percent by 2015. The underlying bill tried to address this by saying we should cut our dependence on oil by a million barrels a day, but what that underlying bill does is leave us worse off by 2015 than we are today. It would leave us more dependent on foreign oil than we currently are. The mathematics of the underlying bill need to be improved.

My amendment would direct the President to develop and implement a long-term strategy to reduce our dependence on foreign oil by reducing 7.6 million barrels of oil per day by 2025. So, instead of allowing our foreign oil imports to grow from the 58 percent that it is today to 68 percent in 2025, my amendment would reverse this alarming trend.

We can see where we are today and where we need to get to reduce this dependence.

Under my amendment, this would be a 40-percent reduction by the year 2025. It is very important that this goal be included as part of our energy legislation.

It should be no surprise because many of the Members have talked about energy independence as part of the energy legislation. If my colleagues believe in the underlying fundamentals of this legislation, then they must believe that we can be successful in getting off our overdependence on foreign oil.

What this legislation is missing is an adequate goal to actually reduce our dependence on foreign oil.

It is no surprise that consumers and experts alike agree on this. In fact, there was a recent poll which showed that 92 percent of Americans are very worried about our dependence on foreign oil, and 93 percent of Americans want our Government to develop an energy strategy that will get us off our overdependence on foreign oil. In fact, the President has joined in the call, saying that in order to make sure our economy grows, we need to encourage small business sector growth and vitality. We need to address a major problem facing our country, and that is our Nation's growing dependence on foreign sources of energy.

The President has joined in this debate in saying that getting off our foreign dependence is important.

We have had many others speak out, such as the leadership on both sides of the aisle. In the House, Speaker HASTERT said: Our Nation is dependent on a fickle foreign oil market that is being stretched to the limit by foreign demands.

National security experts, such as CIA Director James Woolsey, former Secretary of State George Schultz, and others in the Energy Future Coalition, have said that the possibility exists for future oil embargoes and supply disruption that make us more dependent on the Middle East.

In fact, those gentlemen, in their report, said: For the foreseeable future, as long as vehicle transportation is dominated by oil, the greater Middle East and especially Saudi Arabia will remain in the driver's seat.

We have a chart that shows who owns the oil supply and who are the top global oil companies in the world. If one thinks about these companies on the chart, looking at the names, Aramco and various companies, and they look at the countries that basically own these companies, people will see that they are 100-percent owned by those entities. We can see what countries they are. We can see where the supply is.

If Americans look at this chart, then they know that we cannot leave our economic future and our national security for future oil supply in the hands of these governments and these countries. What we need to do is to get off of our overdependence on foreign oil and diversify, and that is specifically what my amendment calls for.

I ask unanimous consent that a letter from the Energy Future Coalition that calls for major new initiatives to curtail U.S. oil consumption be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ENERGY FUTURE COALITION,
Washington, DC, May 18, 2005.

Hon. PETE V. DOMENICI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We are writing to follow up on the letter we sent to the President in March, urging an aggressive program to address America's growing dependence on foreign oil, which in our judgment endangers our national and economic security. We asked the President to ''launch a major new initiative to curtail U.S. oil consumption through improved efficiency and the rapid development and deployment of advanced biomass, alcohol and other available petroleum fuel alternatives.''

The signatories, representing a broad range of political: views, support a new national commitment: to reduce U.S. oil consumption substantially, through the accelerated introduction of advanced technology vehicles and alternative fuels. We believe domestic biofuels can cut the nation's oil use by 25 percent by 2025, and substantial further reductions are possible through efficiency gains from advanced technologies. That is an ambitious goal, but it is also an extraordinary opportunity for American leadership, innovation, job creation, and economic growth.

Mr. Chairman, we recognize that you and the other Members of the Committee are well along in the drafting process, and we hope that legislation can be enacted this year that addresses the critical energy challenges confronting the nation. We want to commend you for the leadership you are showing and the bipartisan approach you have pursued in developing a comprehensive energy bill. You have demonstrated a willingness to look anew at the facts on the ground and to adjust to those facts as appropriate.

We come forward now in a constructive spirit, with recommendations drawn from the work of several groups that have recently examined this topic in addition to the Energy Future Coalition—the National Commission on Energy Policy, the Set America Free Coalition, the Apollo Alliance, Rocky Mountain Institute, and others.

The President said last month, ''Our country is on the doorstep of incredible technological advances that will make energy more abundant and more affordable for our citizens. By harnessing the power of technology, we're going to be able to grow our economy, protect our environment, and achieve greater energy independence.'' We could not agree more strongly.

We see a broad and bipartisan consensus emerging at various levels of government throughout the country on the need to move to a new model of energy production and use. As promising as that vision is, however, it won't happen by itself. Public policy and investment are needed to hurry the future, and now is the time to act, before a crisis.

Toward that end, we recommend certain first steps, outlined briefly below. The cost of this package is small, relative to both the risks and opportunities at hand, but it would begin to change the nation's direction on this critical issue. We would be pleased to work with you and your staff on specific legislative language.

1. Reward technological innovation that increases fuel efficiency—Transportation accounts for two-thirds of U.S. oil consumption, and light-duty vehicles account for more than half of all transportation demand. New vehicle technologies, including hybrids and advanced diesels, can dramatically increase the efficiency of that fleet.

The health of the U.S. economy is closely linked to the health of its auto manufacturing industry, which affects one out of every 10 private-sector jobs in America. The industry's vitality in turn depends on its ability to innovate and respond to rapidly changing customer preferences.

We recommend tax incentives for U.S. vehicle and component manufacturers that will enable them to retool existing production lines for both cars and trucks and produce advanced technologies that reduce fuel consumption and U.S. demand for foreign oil. We also recommend tax incentives, as the President did again last month, that will increase consumer demand for these technologies. We recognize, of course, that tax policy falls within the jurisdiction of the Committee on Finance, and we will send a similar letter to Chairman GRASSLEY.

2. Support the next generation of advanced vehicles—Fuel consumption is closely tied to vehicle weight. Lighter vehicles are thus desirable as long as they do not compromise safety or performance. Advanced materials—such as composites now used in advanced aircraft—could allow dramatic gains in fuel economy if they could be reduced in cost. We recommend that the Federal government carry out a program to demonstrate the feasibility of high-volume, low-cost manufacture of these materials, which will have important military applications as well.

Additional reductions in oil demand would flow from extending the range that hybrid vehicles can travel on the electricity stored in their batteries. This will require further improvements in battery technology and the ability to plug in to the electric power grid, but may have the additional benefit of leveling peak utility power loads. We recommend support for further development,

demonstration, and deployment of these technologies.

3. Accelerate the introduction of alternative transportation fuels—The production of ethanol has increased dramatically in the last two yeas, but must grow much further to displace a major share of U.S. oil demand. Technologies to convert widely abundant plant fiber—cellulosic biomass—to liquid fuels have been demonstrated at pilot scale but face considerable financial and technical risk in moving to first-of-a-kind commercial-scale production. A Canadian company, Iogen, is currently producing ethanol from wheat straw, but at relatively small scale. Biodiesel fuels—from sources as diverse as soybeans, waste cooking oil, and turkey offal—are also emerging as important alternatives.

A well-focused and adequately funded program to take these technologies to the point of becoming low-risk commercial choices should be pursued on grounds of national security. This may be the only way that the U.S. can have—in years, as opposed to decades—a significant supply of renewable domestic fuels, chemicals, and other products for which we now depend on imported oil or limited natural gas reserves. The Federal government should be directed to conduct a one-time technology competition, supporting private-sector construction of at least 10 commercial-scale demonstration plants within the next five years—testing the comparative advantages of different conversion processes, feedstocks and end products.

We also support an aggressive program to increase the use of renewable fuels in the fleet (similar to S. 650, for example) to encourage development of these fuels and their use as fuel substitutes, not just as additives. Flexible-fuel vehicles can use ethanol or gasoline interchangeably, and some four million are already on the road. Because new cars can be given flexible-fuel capability at negligible cost, we recommend that this technology be rapidly introduced into the fleet to give consumers a choice in refueling options. We also believe the corporate average fuel economy program should provide credit for the demonstrated use of alternative fuels not based on petroleum, and we recommend that all biodiesel blends be treated alike in the tax code.

Finally, we are not unmindful of the current budget situation and its implications for the energy bill; however, we think that a more rational allocation of scarce resources would substitute the unfunded elements of this package for the $2 billion ''ultra-deep-water and unconventional onshore natural gas and other petroleum research and development program'' contained in the House bill. As the President noted recently, with oil at $50 a barrel, ''energy companies do not need taxpayers'-funded incentives to explore for oil ad gas.'' We should support instead a new direction in energy policy that will reduce our dependence on foreign oil, expand the production of domestic transportation fuels from agriculture, and create new jobs, economic growth, and investment in America.

Mr. Chairman, we note that the Committee has held conferences this year on natural gas supply and on the future of coal, as well as hearings on other relevant topics, but not on the subject of oil dependence and national security, despite the remarkable rise in the price of oil over the past year. We respectfully urge you to consider such a session and offer our participation if you so desire. In any case, we would be pleased to discuss these initiatives with you as you consider incentives for innovative clean energy technologies, as well as other provisions on renewable energy, fuels and vehicles, and oil and gas.

These recommendations are the product of three years of work by the Energy Future Coalition and others, who have come together in a constructive and non-partisan effort to develop politically viable answers to seemingly intractable issues, so that we might have a national energy policy that responds strategically both to the challenges we face and to the opportunities they create.

With best wishes,

Sincerely,

Robert C. McFarlane.
R. James Woolsey.
Frank J. Gaffney, Jr.
Richard L. Trumka.
Charles B. Curtis.
C. Boyden Gray.
Timothy E. Wirth.
John D. Podesta.

Enclosures: Additional Signatories

Lt. Gen. John S. Caldwell, Jr., USA (Ret.); Adm. William T. Crowe, Jr., USN (Ret.), Former Chairman, Joint Chiefs of Staff; Hon. John H. Dalton, Former Secretary of the Navy; Vice Adm. Robert F. Dunn, USN (Ret.); Michael T. Eckhart, American Council on Renewable Energy; Hon. Vic Fazio, Former U.S. Representative; Hon. Robert W. Fri, Resources for the Future; Brig. Gen. Gordon Gayle, USMC (Ret.); Hon. Sherri W. Goodman, Former Deputy Under Secretary of Defense; Hon. James C. Greenwood, Biotechnology Industry Organization, Former U.S. Representative.

Vice Adm. Lee Gunn, USN (Ret.); Institutes for Public Research, Center for Naval Analysis; F. Henry Habicht II, Former Deputy Administrator, EPA Commission on National Energy Policy; David A. Harris, American Jewish Committee; Hon. Gary Hart, Former U.S. Senator; Co-Chair, U.S. Commission on National Security for the 21st Century; Bracken Hendricks, Apollo Alliance; John P. Holdren, Harvard University, Co-Chair, National Commission on Energy Policy; Lt. Col. William C. Holmberg, USMC (Ret.), Biomass Coordinating Council; Hon. Jerry Hultin, Former Under Secretary of the Navy; Rear Adm. Leland S. Kollmorgen, USN (Ret.).

Gen. Richard L. Lawson, USAF (Ret.), Former President, National Mining Association; Maj. Gen. Charles Link, USAF (Ret.), National Defense University Foundation; Gal Luft, Institute for the Analysis of Global Security; Lt. Gen. William R. Maloney, USMC (Ret.); Vice Adm. Dennis V. McGinn, USN (Ret.); Dennis R. Minano, Former Vice President for Environment and Energy, General Motors; Hon. William A. Nitze, Former Assistant Administrator, EPA, The Gemstar Group; John L. Petersen, The Arlington Institute; Hon. Robert B. Pirie, Jr., Former Secretary of the Navy (acting).

Hon. Joe R. Reeder, Former Under Secretary of the Army; Hon. William K. Reilly, Former Administrator, EPA, Co-Chair, Commission on National Energy Policy; Maj. Gen. J. Milnor Roberts, USAR (Ret.); Larry J. Schweiger, National Wildlife Federation; Hon. Philip R. Sharp, Former U.S. Representative, Congressional Co-Chair, Commission on National Energy Policy; Hon. Susan F. Tierney, Former Assistant Secretary of Energy, Commission on National Energy Policy; Vice Adm. Richard H. Truly, USN (Ret.), Former Director, National Renewable Energy Laboratory; R.E. Turner, Turner Foundation; Adm. James D. Watkins, USN (Ret.), Former Secretary of Energy.

Ms. CANTWELL. Specifically, this coalition believes that domestic biofuel, something that we just debated as part of this energy strategy, can be used to produce a very significant amount of our future energy, and they are calling it an extraordinary opportunity for American leadership for job creation and economic growth.

I think this group of individuals, who are part of a coalition that is interested in our country's national security, are pointing out that this very chart, showing the ownership by foreign entities, is of great concern to our future. I think this letter does adequately call on us to do our job in making sure we are getting off of our foreign dependence.

I believe this underlying legislation gives us the tools to do so. That is especially true if you think about the framework that is in the bill and the debate we just had on biofuels, the 8 billion gallon biofuels goal by 2012. What is great about the biofuels amendment that was adopted and revised from the committee markup is that it includes both ethanol and biodiesel, and specifically ethanol research and development of what are called cellulosic ethanols—biomass-based ethanol materials.

We know we have Midwestern States that are already producing ethanol and giving us a source of supply. But if you take those five Midwestern States and try to transport that product to the Northwest, as we do today—we are selling biofuels and ethanol in a variety of places in Washington State today, but you are adding a 30-cent to 50-cent transportation cost. What the amendment we just adopted does is make sure that various parts of the country can also be in the biofuels business; that we can start producing products in other parts of the country, closer to the source and consumers that are going to use them. So it is a very positive step forward.

The bill also includes clean coal technology, that I know my colleague who is on the floor, the Senator from Tennessee, has worked on so diligently. It includes hydrogen fuel cells, and it includes next generation nuclear power, things I know my colleagues on the other side of the aisle have worked hard to perfect. It includes new research and development, to play a vital role in the commercialization of new technology. It promotes in, a bipartisan way, conservation initiatives. It is exciting to catch a sense of the new technology that will be in this bill to give us more efficiency in our homes and businesses. We will get a lot of savings from these programs and tools.

There are many tools in the underlying bill to achieve the goals we set out for ourselves. We believe this underlying bill has the right technology answers; that is, it has all the various means by which we can get off our foreign oil dependence, but it is simply lacking a goal. That is what my amendment will provide. This legislation should reflect the resolve of the American people, who say that getting off our overdependence on foreign oil is a national priority, and we are going to stick to it.

I know various Members are going to come down here and offer amendments

on other issues, issues related to global warming and greenhouse gas emissions. We are going to have proposals regarding a renewable portfolio standard, which would basically mean that our electricity grid would use more renewable energy to provide supply. I think Senator FEINSTEIN is still going to come down and offer her amendment to close the SUV loophole, to try to make SUVs more fuel efficient.

We are going to have a lot of discussion to help improve the bill. But without setting a national goal, without saying our country has to get off our dependence on foreign oil, we will have missed an opportunity. This underlying legislation sets a goal that will actually make us, in 2015, more dependent on foreign oil than we are today. I think we need to set a goal as a legislative body, that we want to reverse that trend. In 2025 we want to actually be importing less foreign oil, and that is exactly what my amendment does.

Why is this so important? First, we all know it is in the economic interest of the United States to diversify off foreign oil. We know our dependence has cost us, since 1970, something like $3.6 trillion. In 2003, imports cost us $10 billion every single month, and our oil imports count for about 34 percent of our existing trade deficit. Think about that, 34 percent of our trade deficit, just because of the cost of oil. In fact, Alan Greenspan has said that the high cost of fuel has basically caused 8 out of the 10 postwar U.S. recessions; they were related to high energy prices and spikes in oil.

We know there is a strong relationship between energy costs to our overall economy. That is what we are trying to change. But a number of factors remain, and that is what is of great concern. Who actually controls those energy costs? We know the OPEC cartel, as well as international events and political events, have an impact. We know the growing demand in China and India for the same supply of oil has an impact. We know we need to do something about it.

If you talk to economists about what is going to happen to the price of oil in the future, the signs are pointing to oil prices could reach $100 a barrel in the next 20 years. If that is the case, that would have a devastating impact on our national economy. Yet that is exactly what we are hearing from them. That is exactly what people are saying. There is a world economic outlook report that was issued this spring by the International Monetary Fund, and that report basically said that oil could spike to $100 a barrel between now and 2030.

The Wall Street firm of Goldman Sachs also predicted that the price of oil could reach $105 in the next few years, and energy markets could easily be in the early stages of a superspike period. I know the United States has been through these periods before, where we have seen extreme spikes in energy costs. It has had a devastating impact on our economy. That is something we are trying to avoid by setting a national goal to diversify away from foreign oil.

We have many economic reasons for this amendment. But as I stated earlier, we also have security reasons. Let me expound on that just a little bit because I think it is important to understand the demand for oil and, basically, who holds the reserves. The oil reserves of every area in the world are in decline except for the Middle East. That means if we continue to be dependent on foreign oil, we are going to be more dependent on OPEC and its member countries. Given that those reserves, let's just say, are constantly under some scrutiny because of the challenges in that region of the world, some analysts, when looking at the oil futures market, basically describe what they call a fear premium. That is, the price of oil futures actually increases because people are concerned that international incidents may happen, terrorist threats and other things, that will damage that oil supply. So the cost of oil futures actually goes up, just on the fear of what might happen.

That is troubling because as we all know, we cannot predict what is going to happen on an international basis. We do our best to protect that oil supply, but Saudi Arabia alone has about a quarter of the world's oil reserves and more than 60 percent of that country's total oil inputs are processed at a single facility. So if you think about it, it is the home to almost all of the world's spare production capacity. Again, we are putting all our eggs in one basket. I am simply saying lets set a national goal to get off that dependence on foreign oil because of this security reason, as well as the economic reason and who owns this supply and how important it is.

I would like to talk for a second about the picture as it relates to other people interested in that oil supply. I mentioned China and India and the projections of the price of oil reaching $100 a barrel. Analysts agree that China, because of its growth and huge demand, is likely to shift the whole center of gravity for energy markets. That is, China has already moved past Japan in its global energy consumption. It is the second largest oil consumer and the third largest oil importer. In the next decade, China is going to continue to grow to about half of today's U.S. combined car and truck total, so they are going to be looking for lots of energy supply. It is expected that their imports are going to double by 2010 and quadruple, to 8 billion barrels of oil a day, by 2025. Imports will be 60 percent of China's total oil consumption.

While we are looking at the picture, already knowing we are overdependent on foreign oil and that the challenges to security are there and that the American economy is already suffering, we also need to recognize there are other nations who are going to be bidding for that same resource.

We need to get off our overdependence on foreign oil. How are we going to do that? First, we have to have the resolve. There are many times in American history this country has shown American resolve. We have put a man on the Moon. We have ushered in the nuclear age. We stood up in the OPEC crisis and got fuel efficiency standards for cars. We ought to have the resolve now. We need to bet on the ingenuity of American brain power to get us off our overdependence on foreign oil. If we are smart enough to put a man on the Moon, we ought to be smart enough to get off our overdependence on foreign oil. When John F. Kennedy made the declaration of wanting to put a man on the Moon in a 10-year period of time, I don't think he had the answer to every single element of how to do that. He left the details up to both the public and private sector in getting new technology developed so we could move forward.

In this case we have an underlying bill that actually can achieve this goal of reversing the trend by 2025 and reducing 40 percent the consumption of the United States of foreign oil. How do we do that? Many people have talked about how we get there. I will show one chart with examples of the oil savings technology in this legislation.

The biofuels amendment we talked about: Many organizations, including some of those security initiative organizations such as Energy Future Coalition and some environmental organizations such as Natural Resources Defense Council, have said biofuels can play a significant role. They could help produce 3.9 billion barrels of alternative fuel a day.

I hope my Midwest colleagues and my colleagues from other parts of the country who are interested in biodiesel and ethanol are excited by that opportunity. It means an economic opportunity for all the regions of our country that can produce those fuels. It also has a higher national purpose, to help us get off our over-dependence on foreign oil.

We can also improve efficiencies in various sectors such as aviation, residential applications, and various modes of transportation. I am very proud the Northwest has figured this out.

At the Paris Air Show we are seeing a lot of news about future planes. One plane you will not see there today but is on the drawing boards and is getting rave reviews from people making purchase orders is the next generation 787. What is great about that is its whole design is based on a more fuel-efficient plane. Boeing estimates it can save between 20 and 30 percent on fuel costs. They figured out the marketplace is going to be very sensitive to the high expense of transportation fuel and have developed a plane to answer the call from the marketplace. What has the marketplace said? The marketplace is responding with over 200 orders for a plane that is not even finished yet.

That is a great example of how we can get efficiencies in aviation and other sectors.

This chart explains how we can make a big step forward in energy savings, which are aspects of this legislation. They are very important aspects to look at.

A few of my colleagues who are anxious about this legislation want to know if it is a back door to higher fuel efficiency standards; that somehow this bill mandates CAFE. It does not mandate a higher fuel efficiency standard, although this Member would certainly support a piece of legislation in the Senate that suggested that. This amendment realizes there are hybrid cars in the marketplace that are likely to come onboard. There are estimates that you can increase the efficiency of our economy using hybrids and save up to 2 million barrels a day by 2015. That's just from the growth in the hybrid auto market. That is just American consumers buying hybrid cars and making that investment. It does not have to be CAFE, although I personally think we are losing a huge opportunity in the American marketplace by not being more aggressive about cars that can run on alternative fuels. I say that, mentioning the Boeing experience in aviation.

The aerospace industry in the Northwest is responding to the demand of more fuel-efficient transportation. I wish the auto manufacturers would be more aggressive. Actually, as oil has hit $50 a barrel they have gotten more aggressive. They have gone over to Japan and said, okay, we want a technology deal with the Japanese auto manufacturers; we want to get more of these cars in the United States market. Maybe that will work.

However, this amendment does not assume we are going to have a new CAFE standard. It simply says to the United States, if you are serious about this problem, you will set a national goal to get off our overdependence on foreign oil by 2025 and start reducing the trend. Instead of continually importing more, we should be importing less.

This chart shows the trend we are trying to reverse. Today we are basically importing 13 million barrels a day; if we do nothing, by 2025, we will be importing 19 million barrels. This is the trend we are trying to reverse. This is the direction we did not want to go in. We want to make a change.

Some of my colleagues ask, how can you set this goal? If you are not specific about how you get there, how are we going to achieve it? There is a lot I am sure that President Kennedy thought about when he wanted to put a man on the Moon, and maybe his original projections were not accurate. There is a lot of research and development we are going to do on a variety of these technologies.

One country that has taken this challenge and embraced it is Brazil. It is a country which looked at this same dilemma the United States has, from the economic perspective. They said, we cannot afford to be dependent on the high cost of imported oil. In fact, in the 1970s, Brazil had about 80 percent of its supply from imports. That was a big challenge.

As it exists today, Brazil has, because of its biofuels initiative, changed that trend. In fact, Brazil has gone from 1975 being 80 percent dependent on foreign oil to 1990 being only 45 percent dependent on foreign oil, and in 2006, Brazil actually plans on being an energy self-sufficient country and maybe even being a net exporter of fuel. That is very interesting. As it stands today, they are only importing about 11 percent of their supply.

How do you go from 1975 at 80 percent to 11 percent in 2003? The country took the initiative and said they were going to produce a competitive product to fossil fuel. That competitive product happened to be sugar-based ethanol. They got good at producing sugar-based ethanol. They got so good at producing sugar-based ethanol they actually can produce it and ship it here cheaper than we can produce it today.

I don't like losing the competitive edge to somebody else on the production of an alternative fuel source. I want the United States to be a leader in the production of alternative fuel sources. It holds a lot of promise for the United States.

One might say, well, Brazil is only one-eighth the size of the United States economy and we have much more demand than Brazil. That is true, but Brazil has learned about the efficient production of ethanol. Are we saying somehow the United States does not have the raw material supply for ethanol, whether it is sugar-based ethanol or biomass-based ethanol?

We actually are trying to put the American farmer in the fuel business. If there is anything we ought to be sure we have its agriculture. We know we only sit on 3 percent of the oil reserves in the world, so we know we are not going to get it from there. We are talking about importing liquified natural gas, so we know we are challenged there. But we sure know that the American farmer can produce a lot of product as it relates to ethanol, whether it is sugar based or biomass based, and we can produce a lot as it relates to biodiesel products as well.

That is exactly what this legislation does. It is very specific about the research and development that needs to take place to get us into the alternative fuels business. I am so certain of the well-crafted nature of that section of the bill that I am willing to say that I think we really can achieve our goal of decreasing our energy dependence by 2025. So it is a very positive step for us to look at what we have seen around the globe as far as other countries trying to get toward energy independence or becoming less dependent on foreign oil.

Now, I have another chart that shows examples of what we are trying to reach. This chart basically demonstrates how we can reduce, by 7 million barrels a day, U.S. consumption. It does not have to be the exact mix as shown on the chart of how we achieve that. This is just one of the proposals. You have market growth in hybrid cars; industrial improvements, efficiency improvements in aviation; efficiency gains in trucks and heavy-duty equipment. One of our National Laboratories in the State of Washington, the Pacific Northwest Labs, is doing great research on lightweight trucks, lightweight materials, transportation efficiency, for the trucking industry in our country. Other areas to reduce consumption: how to make the movement of goods and services more efficient, saving transportation costs; the replacement of tires, you can get more fuel efficiency just by having better balance of your tires to get better gas mileage; and there are transportation choices; and biofuels. Again, biofuels is a big opportunity for us.

So I hope all my colleagues are listening who are very supportive of the biofuels section of this legislation—which I hope there are many because I think it is a great opportunity. If you are supportive of that biofuels section of the bill, you ought to be very supportive of setting a goal because you really ought to believe the national goal is achievable. You ought to believe that the economic interest of our country in getting that new production of biofuels is not only an economic and security matter, it is also just plain good job creation for our country. You are putting the American farmer back in business with a product that now will see huge demand.

Now, I do not know if we have it here on the floor, but I took great note that the Economist magazine wrote a piece on biofuels a few weeks ago. In fact, it was a front-page cover story article that week about biofuels. What was interesting about it is that it discussed the fact that we are at this point where biofuels make so much sense because of the price of oil.

Now, several years ago, when we were talking about oil at $20 a barrel and people were talking about biofuels, maybe it did not make much sense, the economics did not make much sense. But we have hit, as Andy Grove would say, an inflection point, and that inflection point is that now we are seeing prices over $50 a barrel for imported oil.

So the article basically says that it is no longer the ''blue sky'' stuff that people talk about, but it is an idea whose time has come. It is a very substantive opportunity for anybody who can produce biofuels because at anywhere around $50 a barrel, instead of $25 a barrel, biofuels can be competitive.

Now, in Washington State, we are selling biodiesel and alternative fuels. A few weeks ago, we had the opening of one of our first biofuels stations. It was

actually at the same location as a previous traditional petroleum-based station. So they changed over from serving customers gasoline to now serving biodiesel.

Right now, the product is something that is shipped from the Midwest, refined at a production facility in Seattle, and then sent over to what was this particular station, Laurelhurst Oil. They are producing a biofuel in Seattle, even though the oil is still imported from another state. That biofuel, I think at the time, was about 30 cents more than what you could go around the corner and get to fill your car up with gasoline—30 cents more. And you ask: Well, how are you expecting to be competitive if it is 30 cents more? It was 30 cents more because we had the transportation cost of bringing that agricultural product to the Northwest, having it processed, and then sold. The production facility that is actually producing this biodiesel in Seattle believes it can reduce the cost by 30 cents—they could be selling the biodiesel at the same cost we are buying gasoline per gallon in Seattle—by simply producing the product in the State of Washington.

So that is what this bill allows us to do. I think the Economist was right, that the private sector is starting to respond to this and starting to come up with solutions. So then you say: Well, if the private markets are responding, why do we have to set a national goal? Well, let me address that because as a former businessperson, I understand that businesses are responsive to their customers and they are responsive to their shareholders. I do not blame a national oil company for setting its own agenda on when it wants to get into new energy technologies. That is their prerogative.

You see lots of commercials on TV all the time about how existing fossil fuel companies are going to generate biofuels, how they are going to diversify. They would make you think they are doing that in a rapid fashion. I am not so sure it is rapid enough for the consumers of Washington State, who are paying a very high price for gasoline, have paid a very high price for electricity recently, and are reeling from a hard-hit economy because of high energy costs.

We would like to see a much more aggressive effort. But those companies are not going to set a national goal and they are not going to diversify until it is in their financial interest. So the question is whether this body is going to set a national goal, which I think this underlying bill can achieve, and whether we, as a country, are going to diversify off of that overdependence on foreign oil. It is not their job; it is our job. And we should get about showing the American people that we have the will to do it and that we are betting on American ingenuity to achieve it. I have to believe that putting a man on the Moon is a lot harder than discovering how to be as efficient as the Brazilians are in the development of ethanol. I have to believe that was a tougher challenge.

So I think about the things we have achieved in our country's history. I think about the fact that, in response to the threat of what other countries might be doing with the nuclear bomb in World War II, FDR ushered in the nuclear age in 2 years. He shifted our spending in the development of energy in 2 years from about $8,000 to 86 million dollars and ushered in the nuclear age. Why? Because he saw a threat, and he wanted to set a national goal. We have had these instances where our country has decided it was in our economic interest and our security interest to move ahead. That is what we need to do today.

So I am glad to offer this amendment that simply says that we should take the underlying legislation and change its goal. The underlying bill already has a goal. It says that our goal should be to get off of foreign oil by 2015 by reducing it a million barrels a day.

What we need to do is reduce our oil supply in a much more aggressive fashion. We need to reduce that 40 percent by 2025. That is what my amendment calls for. I am happy to hear from my other colleagues on this issue. I hope that my colleagues will take this issue as an amendment to improve the underlying bill.

The underlying bill has the tools and the framework we need. What we need to do is have the resolve as a country to set a national goal. The private sector is not going to do that. We are not going to have consumers make market choices that don't exist. They want more market choices. What we have to do is set the wheels in motion. The good news is, once the Government sets a goal, it is amazing how many people respond to that.

Our country has set lots of goals. We set goals for more homeland security. I have seen more security technology companies come through my office in the last 2 years than imaginable. Why? Because we said we want more homeland security. So we have every imaginable aspect of homeland security being addressed by thousands of companies across America.

If we want to be serious about getting off our overdependence on foreign oil, we will pass this amendment, and we will be on the track for setting a goal that both the private sector and public sector will respond to. I think with that we will be able to say to Americans that we are on the right track, that we are not going to let consumers continue to pay high transportation costs, and that we have a plan for the future. We are not going to continue to be so singularly dependent on the fossil fuel industry. We are not going to continue to have transportation-sensitive industries caught in a stranglehold by high energy costs. We are going to say to them instead that our national security interests, our economic interests, our environmental interests are being met by a new national goal that all of us will participate in making a reality.

Mr. DURBIN. Will the Senator yield for a question?

Ms. CANTWELL. I yield to the Senator from Illinois.

Mr. DURBIN. I thank the Senator for her leadership. The amendment she is proposing—and we hope will be embraced by both sides of the aisle—will set a goal to reduce our dependence on foreign oil. I can't think of a single person in America who wouldn't agree with that goal. We can all understand that as we wait every day for a press release from the OPEC nations to try to determine whether or not the price of gasoline is going to go up or down. This proud, strong, leading nation in the world goes hat in hand to the Saudi peninsula looking for oil. We wait for them to determine what the price will be. It affects every individual and family and business and airline, right down the line.

Is it not true that the bill before us, S. 10, has a goal of reducing dependence on foreign oil over the next 10 years by 1 million barrels a day, which is not as ambitious or as far reaching as the goal of reducing dependence on foreign oil by 40 percent over 20 years? Is it not also true that the President sent a letter to Congress yesterday and said if we include this provision—the weaker provision that is already in the bill—reducing the barrels of oil by 1 million a day over 10 years, the President will veto the bill? Is that the message that we have received from the Bush White House about our goal in reducing dependence on foreign oil?

Ms. CANTWELL. The Senator is correct. In the underlying bill, we have language that says we should reduce our dependence on foreign oil by 1 million barrels a day by 2015. The problem with that goal is, when you are currently importing 58 percent of your oil supply from foreign sources and you calculate in the growth of demand—obviously, our economy continues to grow—there is demand for more oil. Even with that amendment, in 10 years, in 2015, we will be importing 60 to 62 percent of what our Nation consumes in oil supply from foreign sources. So the underlying amendment does nothing to stop this trend. In fact, we will continue to be more dependent on foreign oil.

I know the White House has sent some communication to Senators saying they oppose even that milestone in the bill which does attempt to try to reduce oil consumption. But the provision in the bill doesn't take into effect the fact that the economy grows. I guess it is saying: We don't want to have any goal to actually try to decrease the amount of foreign oil coming into this country.

I want to have a goal for decreasing the amount of foreign oil coming into this country. I want to reverse the trend. I want to go from what we are expected to have, 68 percent in 2025,

and say, let's switch that down towards 50. Let's get to 56 percent. Let's start doing as the Brazilians did, which is an amazing story, if you think about it. Here is a nation that basically went from 80 percent, now, today to 11 percent, and is on the verge of becoming an exporter. When you think about the economic opportunities our country has in actually being an exporter of new energy efficiency technology, it is a great opportunity.

The Senator is right that the administration opposes any goal setting in this bill. Why would somebody oppose goal setting? All the tools are here in this legislation. I am not saying which technology is going to win. Basically, our amendment is technology agnostic. It doesn't say: You are going to have CAFE; you are going to have nuclear power.

A lot of my colleagues are betting on nuclear power. There is new language in here for new nuclear technology. A lot of people think it will provide us hydrogen sources, and we will have hydrogen fuel cells. We will move to having a more fuel-efficient economy that way.

I am not being prescriptive because 2025 is a long time from now. But I know if we look at specifics, we can get there through these various means, but we won't get there without a goal.

Mr. DURBIN. If the Senator will yield for a further question, we can't pick up a news magazine or a newspaper in America without reading about the growth of the Chinese economy. They are expanding at the expense of many other countries, including the United States.

We have lost hundreds of thousands of manufacturing jobs over the last 4 years to China as their economy is exploding in size. Many of the companies in China that are growing are American companies. The fact is, China is expanding its economy dramatically. It is no longer a backward Communist nation. It is a full-fledged world competitor, and many believe that China and India will be our competitors in the next 50 years for jobs and economic growth.

Is it not also true that China has one problem it has to face, and that is the fact that within the borders, as huge as China is, they don't have a lot of energy resources. So to keep this economy moving forward, they need to import energy into China, which means in the years to come, we will see more and more competition for foreign oil, not just the United States versus the rest of the world, but the United States versus China and the rest of the world, which means oil for $50 per barrel, which has now raised our price at the pump, may go to $100 per barrel.

I ask the Senator from Washington, setting this goal of reducing our dependence on foreign oil through conservation techniques, through alternative fuels, through finding environmentally sensitive resources that we can use, is that not looking forward to the kind of global competition we are going to face and accepting the reality that if we don't do this as a nation, we will find ourselves losing out from a security viewpoint as well as global competition with nations such as China?

Ms. CANTWELL. The Senator from Illinois brings up an important question, which is with China's interest in global oil supply and the demand, is it going to drive up the price. I don't think an oil company really cares whether the price of oil is driven up or not. What do they care?

Somebody is going to pay them, whether it is $50, $55, $60, $80, or $100. With an increase in demand, that is good news for them. Oil supply costs just go up. They reap the benefits; they reap the profit. But what it is not good for is the American economy.

So the Senator is absolutely right, China's entrance into the demand for foreign oil should be seen by this country as an economic and security risk. China's consumption and growth rate is staggering. China is going to be consuming I think I said 8 million barrels of imports. They have already overtaken Japan, and they are fast on our heels to catch up to our consumption, and they will get to a point where they are the 800-pound gorilla in the dynamics of world oil supply.

Even our underlying bill says you can try to ramp up different sources of U.S. production. But we all know with the United States being situated on 3 percent of the world's oil reserves, it is not a likely scenario for us in the United States to be able to drill our way to energy security. So the Senator is right, China is a unique concern in this. We ought to take that, along with the other national security factors, and the fact that the oil supply is located primarily in these Middle Eastern countries—if we can put the chart back up there. If you look at where the supply is already, the countries and state ownership, that is already worrisome enough. Now, when you throw into the equation that China is going to be demanding more supply from these entities, it is going to lead to a higher price. I am not sure any of these countries are worried about the U.S. consumer and what they have to pay for transportation costs. I don't think they are responsive to the needs of U.S. consumers. The United States might be responsive to our own consumers if we were the owner of these companies, but we are not.

So this is about setting a national goal that recognizes the hardship the American economy is going to encounter, and that we are going to be under in the future if we continue to pay these prices. We might, in 10 years, be happy we were talking about $50 a barrel prices, if some of the expectations of Wall Street come to pass—the predictions that we could see superspikes and get to $100 a barrel. We are already feeling the pain now. Americans are losing jobs, pensions, like the pensions of transportation workers, where there are issues because of high fuel costs; and people are curtailing economic activity because of high transportation costs. We ought to take the Chinese part of the equation and realize this goal needs to be set and we need to make it a reality, just as we did to reach the goal of putting a man on the Moon.

My colleague from Tennessee is also on the floor. I want to give him an opportunity to add whatever comments he wants to add about this.

AMENDMENT NO. 784

Ms. CANTWELL. Mr. President, I call up my amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Ms. CANTWELL] proposes an amendment numbered 784.

Ms. CANTWELL. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To improve the energy security of the United States and reduce United States dependence on foreign oil imports by 40 percent by 2025)

Beginning on page 120, strike line 23 and all that follows through page 122, line 14, and insert the following:

SEC. 151. REDUCTION OF DEPENDENCE ON IMPORTED PETROLEUM.

(a) FINDINGS.—Congress finds that—

(1) based on the reports of the Energy Information Administration entitled ''Annual Energy Outlook 2005'' and ''May 2005 Monthly Energy Review''—

(A) during the period beginning January 1, 2005, and ending April 30, 2005, the United States imported an estimated average of 13,056,000 barrels of oil per day; and

(B) the United States is projected to import 19,110,000 barrels of oil per day in 2025;

(2) technology solutions already exist to dramatically increase the productivity of the United States energy supply;

(3) energy efficiency and conservation measures can improve the economic competitiveness of the United States and lessen energy costs for families in the United States;

(4) United States dependence on foreign energy imports leaves the United States vulnerable to energy supply shocks and reliant on the willingness of other countries to provide sufficient supplies of oil;

(5) while only 3 percent of proven oil reserves are located in territory controlled by the United States, advances in fossil fuel extraction techniques and technologies could increase United States energy supplies; and

(6) reducing energy consumption also benefits the United States by lowering the environmental impacts associated with fossil fuel use.

(b) GOAL.—It is a goal of the United States to reduce by 40 percent the amount of foreign oil projected to be imported during calendar year 2025 in the reference case contained in the report of the Energy Information Administration entitled ''Annual Energy Outlook 2005''.

(c) MEASURES TO REDUCE IMPORT DEPENDENCE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every two years thereafter, the President shall—

(A) develop and implement measures to reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States sufficient to reduce total demand for petroleum in the United States by 1,000,000 barrels per day from the amount projected for calendar year 2015; and

(B)(i) subject to clause (ii), develop and implement measures to reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States sufficient to reduce total demand for petroeum in the United States by 7,640,000 barrels per day from the amount projected for calendar year 2025.

(ii) If the President determines that there are insufficient legal authorities to achieve the target for calendar year 2025 in clause (i), the President shall develop and implement measures that will reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States to the maximum extent practicable and shall submit to Congress proposed legislation or other recommendations to achieve the target.

(2) REQUIREMENTS.—In developing measures under paragraph (1), the President shall—

(A) ensure continued reliable and affordable energy for the United States, consistent with the creation of jobs and economic growth and maintaining the international competitiveness of United States businesses, including the manufacturing sector; and

(B) implement measures under paragraph (1) under existing authorities of the appropriate Federal agencies, as determined by the President.

(3) PROJECTIONS.—The projections for total demand for petroleum in the United States under paragraph (1) shall be those contained in the Reference Case in the report of the Energy Information Administration entitled ''Annual Energy Outlook 2005''.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the President shall submit to Congress a report, based on the most recent edition of the Annual Energy Outlook published by the Energy Information Administration, assessing the progress made by the United States toward the goal of reducing dependence on imported petroleum sources by 2025.

(2) CONTENTS.—The report under paragraph (1) shall—

(A) identify the status of efforts to meet the goal described in subsection (b);

(B) assess the effectiveness of any measure implemented under subsection (c) during the previous fiscal year in meeting the goal described in subsection (b); and

(C) describe plans to develop additional measures to meet the goal.

Ms. CANTWELL. Mr. President, I know there are many Members who want to speak. I ask unanimous consent that Senators FEINSTEIN and REID be added as cosponsors of the legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I ask unanimous consent that following the Senator from Tennessee, Senator KERRY be recognized to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I thank the Senator from Washington for her contribution to the debate today and for her contribution to the debate in our committee process.

While it may seem like ''inside baseball'' to those outside the Senate, the process here is very important. We don't get anywhere unless we have some sort of consensus. That is the way this body operates. So far, over the last several years, we have not had a consensus on energy. I thought the Senator from Washington, at the close of our committee markup proceedings a couple of weeks ago, made a very important comment. She said this was a clean energy bill, but she said it also was a clean process. She was referring to the fact that both Senator DOMENICI, the Republican chairman, and Senator BINGAMAN, the Democratic ranking member on the committee, have been working together to try to identify areas of consensus.

Senator DOMENICI literally set out on that by going from office to office on the Democratic side and on the Republican side to see what he could do. We all had our say. We didn't all get our way in those proceedings, but we had long hearings on gas, we had long hearings on coal, and we had much discussion of renewable energy. In the end, we reported to this body a piece of legislation with a vote of 21 to 1. There was only one dissenting vote.

The Senator from Washington made an important contribution to that discussion, as she did today, with her discussion of biodiesel, which is a promising renewable fuel. It is in its infancy. We don't know how far it will go. Biodiesel has only contributed about 2 percent of all of the fuel we use in the United States today. We have to always remember what a huge economy we have and how long and how much it takes to turn it around. But she offered an amendment that the committee adopted and which was included in the bill now before us. It has as part of the mandate for use of renewable fuels biodiesel.

The Senate, by a large vote a few minutes ago included, I believe, an 8 billion gallon standard for renewable fuels. So she made an important contribution. And the spirit of our discussion so far has been that we recognize the urgency of the issue we are talking about, which is blue-collar workers, homeowners, keeping jobs from moving overseas, and that this is serious business and we need to get it right.

I will make some observations about the Senator's amendment. There will be three observations. One is I respectfully suggest she has the wrong goal for the near term. Two, I suggest the bill we have before us actually presents an excellent, balanced approach toward what we need to do. Three, I will reemphasize the importance of not just reducing our dependence on oil, the growth of our dependence on oil in the United States—that is the goal, I believe—but lowering the price of natural gas for the benefit of blue-collar workers, homeowners, and farmers. That is the point.

The Senator talked about President Kennedy and probably the most celebrated goal of the last 100 years—certainly one of the most celebrated in our history, and very much in keeping with the American spirit and character. We are always setting high goals, such as ''anything is possible'' and ''all men are created equal'' and ''we will pay any price and bear any burden to defend freedom.'' A lot of our politics is about the disappointment of not reaching those goals. In fact, most of American history is the story of setting high goals, missing them, being disappointed, and recommitting ourselves to the goals. But the goals we remember and the leaders we remember are the ones who have challenged us within some reason. We used to have a wonderful citizen of Tennessee named Chet Atkins, who played the guitar. He may have been the best guitar player in the world. He always said: In this life, you have to be mighty careful where you aim, because you are likely to get there.

I don't think we would have remembered President Kennedy as well if he had said in 1960 that we need to put a man on Mars by 1970, or a man on Jupiter by 1970. President Kennedy didn't say that. That would have been far outside of our reach. Our scientists knew that, but it was within our reach to go to the Moon. He said that and challenged us, and we figured out the details of doing it.

I suggest the goal of the Senator from Washington would be like putting a man on Mars. It is out on another planet, it is somewhere out there. It might be the right goal one day, but we have to go to the Moon before we go to Mars. I suggest her goal is the wrong goal. The Senator suggests that the United States, over the next 20 years, reduce its dependence on foreign oil by 40 percent. That sounds pretty good, like going to Mars might have sounded pretty good in 1960, but we would never have gotten there. Let me try to put her goal in perspective.

She says get rid of 7.6. We use about 20 million barrels of oil a day in the United States. It supplies about 40 percent of all of our energy. The Energy Committee, including the Senator from Washington, considered all of this, and we came to a consensus that we should look for wherever the Moon might be in this goal. And we said: Let's save 1 million a day. Let's ask the President to save 1 million a day by the year 2015, 1 million of that 20 million.

That million is a pretty big number. Drilling for oil in ANWR, which we argued so heavily in this body, would produce about 1 million barrels of oil a day. If I am not mistaken, if we were to adopt the CAFE standards legislation that Senator CANTWELL herself suggested in earlier debates, that would have saved about 1 million barrels of oil a day. But she is saying 7.6 million barrels of oil a day over the next 20 years.

I agree it might be possible to go higher than 1 million barrels of oil a

day. Senator JOHNSON and I introduced the National Gas Price Reduction Act of 2005 earlier this year. We had in that an oil savings amendment of 1.75 million barrels of oil a day.

All these amendments direct the President to figure out a plan for doing this and then to implement it. These are not just idle suggestions.

I think there is a consensus in this body, certainly on this side and that side of the aisle, and I might say, as Senator BINGAMAN mentioned, we did not really vote Republican and Democrat in our committee hearings. We had a lot of votes, but they generally split on our individual views and regions, not whether we are a Republican or a Democrat. I think there is still a consensus here. Of course, we want to reduce the growth of our dependence on oil, but to say our goal should be to reduce by 40 percent in 20 years our reliance on oil is somewhere out on another planet, not within our reach.

Many of us have been reading very carefully the National Commission on Energy Policy report called ''Ending the Energy Stalemate, A Bipartisan Strategy to Meet America's Energy Challenges,'' that includes within it a broad variety of people—Mr. Holdren, Bill Reilly, Mr. Rowe from Exelon Corporation, a representative from the United Steelworkers. We all read it, and I suppose we all like the parts we agree with and try to agree with some things that may have changed our mind. Here is what this commission report, which is an excellent report, says about oil:

> Over the last 30 years, the United States has sought to improve oil security by promoting a greater diversity of world oil suppliers, reducing domestic consumption through a substantial increase in new passenger fuel economy between 1975 and 1987, and creating the largest dedicated strategic petroleum reserve in the world. Due to these policies and as a result of structural shifts, the U.S. economy today is less oil-intensive and therefore less vulnerable to oil price shocks than it was in 1970. The fact that oil imports have nonetheless steadily increased since that time suggests that calls for energy independence—while rhetorically seductive—represent the wrong focus for the U.S. energy policy.

To try to get another example of the practical effect of the amendment of the Senator from Washington, we asked the Energy Department to take a look at it. Here is what they said. Remember, the Cantwell energy security amendment calls for a 7.64-million-barrel-per-day reduction in oil consumption over the next 20 years. EIA, the Energy Information Administration, which looks at all these things, estimated that by a combination of policies outside the transportation sector, the upper limit of what we could do in this country would be 2 to 3 million barrels of oil per day.

So we take out 2 or 3 million barrels of oil a day and let's say that leaves 4.5 million barrels oil per day. The Cantwell amendment would require the President to, therefore, impose on the transportation sector of our economy this achievement, and here is what it would translate to in terms of a CAFE standard miles per gallon. It would require a 78.6-mile-per-gallon CAFE standard. That is a 185-percent increase over today's standard. And it would require 60.8 miles per gallon for light trucks. That is a 174-percent increase.

I submit that is putting a man on Mars instead of a man on the Moon. That is somewhere off on another planet and not anything that we could reasonably do. The effect of enforcing that on the American economy would be to destroy jobs and raise fuel prices and raise expectations and disappoint the people who sent us here.

I much prefer the approach the committee bill takes that came out of the committee 21 to 1, with a very broad consensus. I will admit, we all recognized, when that came out, that we would reserve for debate on the floor some of the more contentious issues, such as MTBE, global warming, CAFE standards, and the size of the oil savings amendment, about which we are talking today.

We said 1 million a day. That is what the committee could agree on. I and Senator JOHNSON thought 1.75. Senator CANTWELL is at 7.6, and that is the wrong goal.

What would the right goal be? The right goal is to say, of course, we want to reduce our dependence on foreign oil. It makes no sense whatsoever for us to rely for so much of our oil on an area of the world where men and women are getting blown up every day, including a great many Americans. It makes no sense whatsoever.

So our goal should be this: Putting us on the path to a steady supply of low-cost, adequate, American-produced clean energy—low-cost, adequate supply of American-produced clean energy. As we do that, we reduce our reliance on all oil. We reduce our reliance on oil not just from around the world but from this country.

Here would be some of the things that are already underway in this bill. As I mentioned, we just adopted an 8-billion-gallon requirement for renewable fuels. Personally, I think that is a little high. That is stretching the limit. I believe the House of Representatives is at 5. Remember, only at 2 percent of all of our energy is renewable fuels. So we have done that.

We have in our bill which is before the Senate research for biofuels, about which the Senator from Washington talks. They are very important, but they are minuscule at this time. We have a way to go. There are some associated waste problems that occur with them, and there are production problems about which we have to think. To produce large-scale biodiesel fuel requires large areas of land. We have to think about that as well. Clearly, we should do it in this bill, which supports research for that.

If we are really serious about reducing our demand for overseas oil, then we should start with efficiency and conservation in the United States, both of oil and natural gas because they often come together. And so the provisions in this legislation, twice as strong as last year's Energy bill, provide for efficiency and conservation standards for such items as appliance efficiency standards. It would avoid building 45 natural gas powerplants of 500 megawatts each and save billions of dollars.

This legislation also includes a 4-year national consumer education program which, when used in California, helped produce a 10-percent cut in peak demand. This is natural gas we are talking about. But we are talking about conserving energy, and oil and gas often are found together.

If we were to add a provision, as I tried to do in the committee, and as I would welcome the Senator from Washington helping me do on the floor as we debate this bill, to encourage utilities to use first the electricity most efficiently produced from natural gas, we could save and conserve even more. Add that to the oil savings amendment of 1 million barrels of oil per day, which is in our legislation, which is about the same as the amount of oil produced onshore in the State of Texas, and then add on top of the provisions that are in the Finance Committee's mark that would continue the deduction for American consumers to purchase hybrid, and I would hope advanced diesel vehicles as well, that saves oil, that gives an incentive, that helps to change the market in a very promising way without a mandate. If we include the provision that is also in this legislation that supports discouraging large trucks from running their motors all night long so they can have their air-conditioning on and their TV on and their appliances on, one may think that is a small potatoes item, but it is actually a big potatoes item. Big trucks are a big part of our energy use in the United States. They are a big part of our air pollution in the United States. When we encourage them to plug into a battery instead of leaving their trucks on, we are using less oil. All of this is a well-balanced approach.

So it is my respectful suggestion that we remember President Kennedy for saying, Let us go to the Moon. We would not remember him as well if he had said, Let us put a man on Mars in 1970. I believe the committee approach is the right goal and is the right balance and much more realistic than the goal of the Senator from Washington State which, according to the Energy Department, would produce a CAFE standard of 78 miles per gallon for cars and 60.8 miles per gallon for light trucks.

I conclude by making a general remark about natural gas and other aspects of how we ought to be producing energy in this country. One important part of it is American-produced. That is what the Senator from Washington

is emphasizing with her amendment. Another important part is low cost. Another important part is reliable and adequate supply.

We use 25 percent of all the energy in the world in the United States of America. We spend $2,500 per person on it. Another important part is clean air. This is not the clean air debate, but it is the debate that will solve the clean air problem, in my opinion, because clean air and clean energy are so intricately related.

The legislation that is before this Senate begins with conservation and efficiency. That reduces our demand for oil, as well as natural gas, and helps to lower prices at least of natural gas. It goes next to increasing supply of natural gas, and I would say oil.

Listening to the Senator from Washington, she is saying we need to reduce our demand for oil from overseas, and since it is unrealistic to think we could save this much oil in that 20-year period of time, that would suggest to me that she would be advocating a big increase in supply of oil as well as natural gas from domestic sources in the United States.

In the legislation that Senator JOHNSON and I offered, we recommended that. It recommended that we look onshore and offshore for new supplies of natural gas as well as oil in the Rocky Mountain area and offshore. Well, that has been greeted with a very cold gaze by many Members of this body, including some who have created objections to unanimous consent agreements just to stop us from even considering increasing our exploration for drilling the large amount of oil and gas that we have just offshore, even though we could put the rigs far out to sea where no one could see them.

It would seem to me as we are talking about oil savings, if we want to keep prices down in the United States and keep jobs here, we need to talk about oil and gas supply at the same time coming from the United States. I did not hear very much about that.

We also need to hear more about LNG. I am speaking now of natural gas, which is an essential part of this debate. Many in the Senate often talk about gasoline prices. The truth is, as the Senator from Washington accurately observed, there is a huge demand for oil. Prices are going to stay up for the foreseeable future, that is the truth about it in terms of gasoline, and we need to learn to reduce our use of the oil. The one thing we can do is lower the cost of natural gas, which is a big part of this bill. That affects millions of blue-collar workers, millions of farmers, and tens of millions of homeowners.

We have gone from having the lowest priced natural gas to the highest price natural gas, and this is outsourcing jobs, putting farmers out of business, and making home heating and cooling prices too high.

If we are going to reduce the price and conservation does not do it, the next best step is to import some from overseas. That goes directly in the face of what the Senator is talking about to reduce our supply of natural gas. If we do not import liquefied natural gas from overseas, we are going to be exporting jobs from America to overseas. So we can either import natural gas or export American jobs. We have to be realistic in the near term in what we have to do.

I would hope that we could drill offshore and drill in the United States and use the extensive amounts of natural gas we have and bring down the price that way. But if we are not going to do it that way we are going to have to bring it in from overseas at least for a while until we have an alternative form of energy.

When we talk about alternative forms of energy, we often go to the renewable fuels, and I will talk about those more in a moment. I am just as excited about those as anybody. We have in Memphis a Sharp plan, for example, that produces solar energy. They have exciting new technologies. In the Oakridge National Laboratory we have a whole division on renewable energy and renewable fuels. They have exciting new technologies in solar. That is only 2 percent of our energy and 2 percent of our fuels. We have to be realistic about where we are going from there.

Where are we going to get the energy we need that will create this adequate supply of American-produced clean energy? After conservation, after new supply, we have to come to nuclear power. I suggest if we want to talk about American independence, we talk about nuclear power, that we do what France is doing. They are 80 percent nuclear power. We should do what Japan is doing. They are adding a nuclear powerplant every year. We invented the technology. We have used it without incident for more than half a century in our Navy. We produce 20 percent of our electricity today from nuclear power and 70 percent of our carbon-free electricity comes from nuclear power.

So if we really want American-produced energy, we need to build advanced nuclear powerplants so that we can have them at a cost that makes us less reliant on oil and gas from overseas.

Waiting in the wings and right behind nuclear power is coal gasification and carbon sequestration. I see the Senator from North Dakota on the Senate floor. He has been a leader in that area for a long time. He talks about it a lot and talks about it clearly. That technology is not completely with us yet. We know how to do coal gasification; that is, turn coal into gas and then gas into electricity. That gets rid of mercury, nitrogen, and hydrogen by and large. It still leaves carbon in the air, but there is a technology called carbon sequestration. We are a few years away from that, but if we accelerate research on carbon sequestration that would be a good goal.

Then we can burn the coal we have in the United States, and we have a 400- or 500-year supply of it. We are the Saudi Arabia of coal. Conservation plus our own supply of natural gas, plus nuclear power, plus coal gasification and carbon sequestration would fuel this great big economy.

One might ask, what does that have to do with automobiles? Well, hopefully, by that time we will also have invested a lot of money in research and development—not just for nuclear power, not just for carbon sequestration, but also for hydrogen, which the Senator from North Dakota is a leading spokesman for, and for fusion. When we get to hydrogen and these hybrid cars that we see being driven around America today—a gasoline engine with an electric engine, that is called a hybrid—when that hybrid becomes an electric engine and a hydrogen engine, then we have to have some way to make that hydrogen. We are either going to import oil and gas from overseas as we are doing it now, we are going to supply it from our own reserves, we are going to conserve enough, we are going to make it from nuclear, or we are going to make it from coal gasification.

I am glad we are having a debate about American energy independence. Just as President Kennedy is remembered for having the right goal by saying, Let us put a man on the Moon, and not for picking an unrealistic goal in 1960 and saying, Let us put a man on Mars in 1970, let's be realistic. Our bill stretches our country, causes us to aim differently, and if adopted will transform the way we produce electricity and will increase our independence on foreign sources of gas and oil.

One last thought about renewable fuels, before I finish. We need to keep that in perspective. If we were a small country, we might be able to rely on renewable fuels or renewable energy, but we are not. We are a country that uses 25 percent of all the energy in the world. Stretch as we might, for the foreseeable future we are going to have to rely on conservation, on our own supplies of oil and gas, and, yes, on some oil and gas from around the world. Then we are going to have to invest in an incredibly aggressive way in advanced nuclear technology and advanced coal gasification and carbon sequestration technology if we are going to have a reliable, low-cost power of American-produced clean energy.

I hope the Senate will prefer the committee report which was adopted by 21 to 1, that includes a balanced approach to the right goal. I would say it is more in keeping with President Kennedy's ''man on the Moon'' goal. This is a ''man or woman on Mars'' goal, and maybe we will get there one day, but it is unrealistic today. It would be disruptive of jobs if you set a 78 mile per gallon CAFÉ standard for cars, a 185-percent increase; a 60 mile per gallon standard for trucks, light trucks, a 174-percent increase. I hope we will stick

with the consensus that passed 21 to 1, and one day we might also reach this goal.

I yield the floor.

The PRESIDING OFFICER (Mr. COBURN). The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from Tennessee for his comments and for his diligence in following energy policy both on the committee and on the floor. I know he cares greatly about this issue and has spent many hours on the details in various sections of this legislation. I appreciate his interest and unique focus on clean coal technology. He has great interest and knowledge about clean coal technology, and has articulated his views about that numerous times.

I know my colleague from North Dakota is here so I want to give him an opportunity to talk, but I want to respond. The 7 million barrels reduction is an achievable goal. If you believe in the underlying technology the Senator from Tennessee just discussed, which is the various ways we can get to that goal, he and I are in agreement. Where we seem to be in a disagreement is whether we want to set this goal. I believe the American people deserve to have a goal set that is achievable.

The underlying bill that says in 2015 we will be more dependent on foreign oil than we are today doesn't seem the goal we should be putting forth. While the committee passed that out of committee, we knew we were going to come out here and discuss a variety of issues. Now that we have the perspective of the entire bill with a lot of different technology solutions, I would say it is time for the Senate to be more bold about this.

I commend to my colleagues this report, ''Securing America; Solving Our Oil Dependence Through Innovation.'' There are two different organizations, the NRDC and the IAGCS, that basically outline in their report how we can save close to 7 billion barrels of oil per day.

We have a submittal to the RECORD from the Committee on the Present Danger, on our oil security. It, too, talks about how we can achieve this goal and what some of the sources are.

I ask unanimous consent to have that printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A COMMITTEE ON THE PRESENT DANGER
POLICY PAPER: OIL AND SECURITY

(By George P. Shultz and R. James Woolsey)

SUMMARY

This paper could well be called, ''It's the Batteries, Stupid.'' Four years ago, on the eve of 9/11, the need to reduce radically our reliance on oil was not clear to many and in any case the path of doing so seemed a long and difficult one. Today both assumptions are being undermined by the risks of the post-9/11 world and by technological progress in fuel efficiency and alternative fuels.

We spell out below the risks of petroleum dependency, particularly the vulnerability of the petroleum infrastructure in the Middle East to terrorist attack—a single well-designed attack could send oil to well over $100/barrel and devastate the world's economy. That reality, among other risks, and the fact that our current transportation infrastructure is locked in to oil, should be sufficient to convince any objective observer that oil dependence, today creates serious and pressing dangers for the US and other oil-importing nations.

We propose in this paper that the government vigorously encourage and support at least six technologies: two types of alternative fuels that are beginning to come into the market (cellulosic ethanol and biodiesel derived from a wide range of waste streams), two types of fuel efficient vehicles that are now being sold to the public in some volume (hybrid gasoline-electric and modern clean diesels), and one vehicle construction technique, the use of manufactured carbon-carbon composites, that is now being used for aircraft and racing cars and is quite promising as a way of reducing vehicle weight and fuel requirements while improving safety.

The sixth technology, battery improvement to permit ''plug-in'' hybrid vehicles, will require some development—although nothing like the years that will be required for hydrogen fuel cells. It holds, however, remarkable promise. Improving batteries to permit them, to be given an added charge when a hybrid is garaged, ordinarily at night, can substantially improve mileage, because it can permit hybrids to use battery power alone for the first 10–30 miles. Since a great many trips fall within this range this can improve the mileage of a hybrid vehicle from, say, 50 mpg to over 100 mpg (of oil products). Also, since the average residential electricity cost is 8.5 cents/kwh (and in many areas, off-peak nighttime cost is 2–4 cents/kwh) this means that much of a plug-in hybrid's travel would be on the equivalent of 50 cent/gallon gasoline (or, off-peak, on the equivalent of 12–25 cent/gallon gasoline).

A plug-in hybrid averaging 125 mpg, if its fuel tank contains 85 per cent cellulosic ethanol, would be obtaining about 500 mpg. If it were constructed from carbon composites the mileage could double, and, if it were a diesel and powered by biodiesel derived from waste, it would be using no oil products at all.

What are we waiting for?

There are at least seven major reasons why dependence on petroleum and its products for the lion's share of the world's transportation fuel creates special dangers in our time. These dangers are all driven by rigidities and potential vulnerabilities that have become serious problems because of the geopolitical realities of the early 21st century. Those who reason about these issues solely on the basis of abstract economic models that are designed to ignore such geopolitical realities will find much to disagree with in what follows. Although such models have utility in assessing the importance of more or less purely economic factors in the long run, as Lord Keynes famously remarked: ''In the long run, we are all dead.''

These dangers in turn give rise to two proposed directions for government policy in order to reduce our vulnerability rapidly. In both cases we believe that existing technology should be used, i.e. technology that is already in the market or can be so in the very near future and that is compatible with the existing transportation infrastructure. To this end government policies in the United States and other oil-importing countries should: (1) encourage a shift to substantially more fuel-efficient vehicles, including fostering battery development for plug-in hybrid vehicles; and (2) encourage biofuels and other alternative fuels that wherever possible can be derived from waste products.

PETROLEUM DEPENDENCE: THE DANGERS

This fact substantially increases the difficulty of responding to oil price increases or disruptions in supply by substituting other fuels.

There is a range of fuels that can be used to produce electricity and heat and that can be used for other industrial uses, but petroleum had its products dominate the fuel market for vehicular transportation. With the important exception, described below, of a plug-in version of the hybrid gasoline/electric vehicle, which will allow recharging hybrids from the electricity grid, substituting other fuels for petroleum in the vehicle fleet as a whole has generally required major, time-consuming, and expensive infrastructure changes. One exception has been some use of liquifed natural gas (LNG) and other fuels for fleets of buses or delivery vehicles, although not substantially for privately-owned ones, and the use of corn-derived ethanol mixed with gasoline in proportions up to 10 per cent ethanol (''gasohol'') in some states. Neither has appreciably affected petroleum's dominance of the transportation fuel market.

Although there are imaginative proposals for transitioning to other fuels, such as hydrogen to power automotive fuel cells, this would require major infrastructure investment and restructuring. If privately-owned fuel cell vehicles were to be capable of being readily refueled, this would require reformers (equipment capable of reforming, say, natural gas into hydrogen) to be located at filling stations, and for natural gas to be available there as a hydrogen feed-stock. So, not only would fuel cell development and technology for storing hydrogen on vehicles need to be further developed, but the automobile industry's development and production of fuel cells also would need to be coordinated with the energy industry's deployment of reformers and the fuel for them.

Moving toward automotive fuel cells thus requires us to face a huge question of pace and coordination of large-scale changes by both the automotive and energy industries. This poses a sort of industrial Alphonse and Gaston dilemma: who goes through the door first? (If, instead, it were decided that existing fuels such as gasoline were to be reformed into hydrogen on board vehicles instead of at filling stations, this would require on-board reformers to be developed and added to the fuel cell vehicles themselves—a very substantial undertaking.)

It is because of such complications at the National Commission on Energy Policy concluded in its December, 2004, report ''Ending The Energy Stalemate'' (''ETES'') that ''hydrogen offers little to no potential to improve oil security and reduce climate change risks in the next twenty years.'' (p. 72)

To have an impact on our vulnerabilities within the next decade or two, any competitor of oil-derived fuels will need to be compatible with the existing energy infrastructure and require only modest additions or amendments to it.

2. The Greater Middle East will continue to be the low-cost and dominant petroleum producer for the foreseeable future.

Home of around two-thirds of the world's proven reserves of conventional oil—45% of it in just Saudi Arabia, Iraq, and Iran—the Greater Middle East will inevitably have to meet a growing percentage of world oil demand. This demand is expected to increase by more than 50 per cent in the next two decades, from 78 million barrels per day (''MBD'') in 2002 to 118 MBD in 2025, according to the federal Energy Information Administration. Much of this will come from expected demand growth in China and India. One need not argue that world oil production

has peaked to see that this puts substantial strain on the global oil system. It will mean higher prices and potential supply disruptions and will put considerable leverage in the hands of governments in the Greater Middle East as well as in those of other oil-exporting states which have not been marked recently by stability and certainty: Russia, Venezuela, and Nigeria, for example (ETES pp. 1–2). Deep-water drilling and other opportunities for increases in supply of conventional oil may provide important increases in supply but are unlikely to change this basic picture.

Even if other production comes on line, e.g. from unconventional sources such as tar sands in Alberta or shale in the American West, their relatively high cost of production could permit low-cost producers, particularly Saudi Arabia, to increase production, drop prices for a time, and undermine the economic viability of the higher-cost competitors, as occurred in the mid-1980's. For the foreseeable future, as long as vehicular transportation is dominated by oil as it is today, the Greater Middle East, and especially Saudi Arabia, will remain in the driver's seat.

3. The petroleum infrastructure is highly vulnerable to terrorist and other attacks.

The radical Islamist movement, including but not exclusively al Qaeda, has on a number of occasions explicitly called for worldwide attacks on the petroleum infrastructre and has carried some out in the Greater Middle East. A more well-planned attack than what has occurred to date—such as that set out in the opening pages of Robert Baer's recent book, Sleeping With the Devil, (terrorists flying an aircraft into the unique sulfur-cleaning towers in northeastern Saudi Arabia)—could take some six million barrels per day off the market for a year or more, sending petroleum prices sharply upward to well over $100/barrel and severely damaging much of the world's economy. Domestic infrastructure in the West is not immune from such disruption. U.S. refineries, for example, are concentrated in a few places, principally the Gulf Coast. The recent accident in the Texas City refinery—producing multiple fatalities—points out potential infrastuture vulnerabilities. The Trans-Alaska Pipeline has been subject to several amateurish attacks that have taken it briefly out of commission; a seriously planned attack on it could be far more devastating.

In view of these overall infrastructure vulnerabilities we do not suggest that policy should focus exclusively on petroleum imports, although such infrastructure vulnerabilities are likely to be the most severe in the Greater Middle East. It is there that terrorists have the easiest access and the largest proportion of proven oil reserves, and low-cost production are also located there. Nor do we hold the view that by changing trade patterns anything particularly is accomplished. To a first approximation there is one worldwide oil market and it is not generally useful for the U.S., for example, to import less from the Greater Middle East and for others then to import more from there. In effect, all of us oil-importing countries are in this together.

4. The possibility exists particularly under regimes that could come to power in the Greater Middle East, of embargoes or other disruptions of supply.

It is often said that whoever governs the oil-rich nations of the Greater Middle East will need to sell their oil. This is not true, however, if the rulers choose to try to live, for most purposes, in the Seventh century. Bin Laden has advocated, for example, major reductions in oil production.

In 1979 there was a serious attempted coup in Saudi Arabia. Much of what the outside world saw was the seizure by Islamist fanatics of the Great Mosque in Mecca, but the effort was more widespread. Even if one is optimistic that democracy and the rule of law will spread in the Greater Middle East and that this will lead after a time to more peaceful and stable societies there, it is undeniable that there is substantial risk that for some time the region will be characterized by chaotic change and unpredictable governmental behavior. Reform, particularly if it is hesitant, has in a number of cases been trumped by radical takeovers (Jacobins, Bolsheviks). There is no reason to believe that the Greater Middle East is immune from these sorts of historic risks.

5. Wealth transfers from oil have been used, and continue to be used, to fund terrorism and its ideological support.

Estimates of the amount spent by the Saudis in the last 30 years spreading Wahhabi beliefs throughout the world vary from $70 billion to $100 billion. Furthermore, some oil-rich families of the Greater Middle East fund terrorist groups directly. The spread of Wahhabi doctrine—fanatically hostile to Shi'ite and Suffi Muslims, Jews, Christians, women, modernity, and much else—plays a major role with respect to Islamist terrorist groups: a role similar to that played by angry German nationalism with respect to Nazism in the decades after World War I. Not all angry German nationalists became Nazis and not all those schooled in Wahhabi beliefs become terrorists, but in each case the broader doctrine of hatred has provided the soil in which the particular totalitarian movement has grown. Whether in lectures in the madrassas of Pakistan, in textbooks printed by Wahhabis for Indonesian schoolchildren, or on bookshelves of mosques in the U.S., the hatred spread by Wahhabis and funded by oil is evident and influential.

It is sometimes contended that we should not seek substitutes for oil because disruption of the flow of funds to the Greater Middle East could further radicalize the population of some states there. The solution, however, surely lies in helping these states diversify their economies over time, not in perpetually acquiescing to the economic rent they collect from oil exports and to the uses to which these revenues are put.

6. The Current Account deficits for a number of countries create risks ranging from major world economic disruption to deepening poverty, and could be substantially reduced by reducing oil imports.

The U.S., in essence, borrows about $13 billion per week, principally now from major Asian states, to finance its consumption. The single largest category of imports is the $2–3 billion per week borrowed to import oil. The accumulating debt increases the risk of a flight from the dollar or major increases in interest rates. Any such development could have major negative economic consequences for both the U.S. and its trading partners.

For developing nations, the service of debt is a major factor in their continued poverty. For many, debt is heavily driven by the need to import oil that at today's oil prices cannot be paid for by sales of agricultural products, textiles, and other typical developing nation exports.

If such deficits are to be reduced, however, say by domestic production of substitutes for petroleum, this should be based on recognition of real economic value such as waste cleanup, soil replenishment, or other tangible benefits.

7. Global warming gas emissions from manmade sources create at least the risk of climate change.

Although the point is not universally accepted, the weight of scientific opinion suggests that global warming gases (GWG) produced by human activity form one important component of potential climate change. Oil products used in transportation provide a major share of U.S. manmade global warming gas emissions.

THREE PROPOSED DIRECTIONS FOR POLICY

The above considerations suggest that government policies with respect to the vehicular transportation market should point in the following directions:

1. Encourage improved vehicle mileage, using technology now in production.

Three currently available technologies stand out to improve vehicle mileage.

Diesels

First, modern diesel vehicles are coming to be capable of meeting rigorous emission standards (such as Tier 2 standards being introduced into the U.S., 2004–08). In this context it is possible without compromising environmental standards to take advantage of diesels' substantial mileage advantage over gasoline-fueled internal combustion engines.

Substantial penetration of diesels into the private vehicle market in Europe is one major reason why the average fleet mileage of such new vehicles is 42 miles per gallon in Europe and only 24 mpg in the U.S. Although the U.S. has, since 1981, increased vehicle weight by 24 percent and horsepower by 93 percent, it has essentially improved mileage not at all in that near-quarter century (even though in the 12 years from 1975 to 1987 the U.S. improved the mileage of new vehicles from 15 to 26 mpg).

Hybrid Gasoline-Electric

Second, hybrid gasoline-electric vehicles now on the market show substantial fuel savings over their conventional counterparts. The National Commission on Energy Policy found that for the four hybrids on the market in December 2004 that had exact counterpart models with conventional gasoline engines, not only were mileage advantages quite significant (10–15 mpg) for the hybrids, but in each case the horsepower of the hybrid was higher than the horsepower of the conventional vehicle. (ETES p. 11) If automobile companies wish to market hybrids by emphasizing hotter performance rather than fuel conservation they can do so, consistent with the facts.

Light-Weight Carbon Composite Construction

Third, constructing vehicles with inexpensive versions of the carbon fiber composites that have been used for years for aircraft construction can substantially reduce vehicle weight and increase fuel efficiency while at the same time making the vehicle considerably safer than with current construction materials. This is set forth thoroughly in the 2004 report of the Rocky Mountain Institute's Winning the Oil Endgame (''WTOE''). Aerodynamic design can have major importance as well. This breaks the traditional tie between size and safety. Much lighter vehicles, large or small, can be substantially more fuel-efficient and also safer. Such composite use has already been used for automotive construction in Formula 1 race cars and is now being adopted by BMW and other automobile companies. The goal is mass-produced vehicles with 80% of the performance of hand-layup aerospace composites at 20% of the cost. Such construction is expected to approximately double the efficiency of a normal hybrid vehicle without materially affecting manufacturing cost. (WTOE 64–66).

2. Encourage the commercialization of alternative transportation fuels that can be available soon, are compatible with existing infrastructure, and can be derived from waste or otherwise produced cheaply.

Biomass Ethanol

The use of ethanol produced from corn in the U.S. and sugar cane in Brazil has given

birth to the commercialization of an alternative fuel that is coming to show substantial promise, particularly as new feedstocks are developed. Some six million vehicles in the U.S. and all vehicles in Brazil other than those that use solely ethanol are capable of using ethanol in mixtures of up to 85 percent ethanol and 15 percent gasoline (E–85); these re called Flexible Fuel Vehicles (''FFV'') and require, compared to conventional vehicles, only a somewhat different kind of material for the fuel line and a differently programmed computer chip. The cost of incorporating this feature in new vehicles is trivial. Also, there are no large-scale changes in infrastructure required for ethanol use. It may be shipped in tank cars, and mixing it with gasoline is a simple matter.

Although human beings have been producing ethanol, grain alcohol, from sugar and starch for millennia, it is only in recent years that the genetic engineering of biocatalysts has made possible such production from the hemicellulose and cellulose that constitute the substantial majority of the material in most plants. The genetically engineered material is in the biocatalyst only; there is no need for genetically modified plants. Typically the organism that is engineered to digest the C5 sugars freed by the hydrolization of the hemicellulose also produces the enzymes that hydrolyze the cellulose.

These developments may be compared in importance to the invention of thermal and catalytic cracking of petroleum in the first decades of the 20th century—processes which made it possible to use a very large share of petroleum to make gasoline rather than the tiny share that was available at the beginning of the century. For example, with such genetically-engineered biocatalysts, it is not only grains of corn but corn cobs and most of the rest of the corn plant that may be used to make ethanol.

Such biomass, or cellulosic, ethanol is now likely to see commercial production begin first in a facility of the Canadian company, Iogen, with backing from Shell Oil, at a cost of around $1.30/gallon. The National Renewable Energy Laboratory estimates costs will drop to around $1.07/gallon over the next five years, and the Energy Commission estimates a drop in costs to 67–77 cents/gallon when the process is fully mature (ETES p. 75). The most common feedstocks will likely be agricultural wastes, such as rice straw, or natural grasses such as switchgrass, a variety of prairie grass that is often planted on soil bank land to replenish the soil's fertility. There will be decided financial advantages in using as feedstocks any wastes which carry a tipping fee (a negative cost) to finance disposal: e.g. waste paper, or rice straw, which cannot be left in the fields after harvest because of its silicon content.

Old or misstated data are sometimes cited for the proposition that huge amounts of land would have to be introduced into cultivation or taken away from food production in order to have such biomass available for cellulosic ethanol production. This is incorrect. The National Commission on Energy Policy reported in December that, if fleet mileage in the U.S. rises to 40 mpg—somewhat below the current European Union fleet average for new vehicles of 42 mpg and well below the current Japanese average of 47 mpg—then as switchgrass yields improve modestly to around 10 tons/acre it would take only 30 million acres of land to produce sufficient cellulosic ethanol to fuel half the U.S. passenger fleet. (ETES pp. 76–77). By way of calibration, this would essentially eliminate the need for oil import for passenger vehicle fuel and would require only the amount of land now in the soil bank (the Conservation Reserve Program (''CRP'') on which such soil-restoring crops as switchgrass are already being grown. Practically speaking, one would probably use for ethanol production only a little over half of the soil bank lands and add to this some portion of the plants now grown as animal feed crops (for example, on the 70 million acres that now grow soybeans for animal feed). In short, the U.S. and many other countries should easily find sufficient land available for enough energy crop cultivation to make a substantial dent in oil use. (Id.)

There is also a common and erroneous impression that ethanol generally requires as much energy to produce as one obtains from using it and that its use does not substantially reduce global warming gas emissions. The production and use of ethanol merely recycles in a different way the CO_2 that has been fixed by plants in the photosynthesis process. It does not release carbon that would otherwise stay stored underground, as occurs with fossil fuel use, but when starch, such as corn, is used for ethanol production much energy, including fossil-fuel energy, is consumed in the process of fertilizing, plowing, and harvesting. Even starch-based ethanol, however, does reduce greenhouse gas emissions by around 30 percent. Because so little energy is required to cultivate crops such as switchgrass for cellulosic ethanol production, and because electricity can be co-produced using the residues of such cellulosic fuel production, reductions in greenhouse gas emissions for cellulosic ethanol when compared to gasoline are greater than 100 percent. The production and use of cellulosic ethanol is, in other words, a carbon sink. (ETES p. 73)

Biodiesel

The National Commission on Energy Policy pointed out some of the problems with most current biodiesel ''produced from rapeseed, soybean, and other vegetable oils—as well as . . . used cooking oils.'' It said that these are ''unlikely to become economic on a large scale'' and that they could ''cause problems when used in blends higher than 20 percent in older diesel engines''. It added that ''waste oil is likely to contain impurities that give rise of undesirable emissions.'' (ETES p. 75)

The Commission notes, however, that biodiesel is generally ''compatible with existing distribution infrastructure'' and outlines the potential of a newer process (''thermal depolymerization'') that produces biodiesel without the above disadvantages from ''animal offal, agricultural residues, municipal solid waste, sewage, and old tires''. It points to the current use of this process at a Conagra turkey processing facility in Carthage, Missouri, where a ''20 million commercial-scale facility'' is beginning to convert turkey offal into ''a variety of useful products, from fertilizer to low-sulfur diesel fuel'' at a potential average cost of ''about 72 cents per gallon.'' (ETES p. 77)

Other Alternative Fuels

Progress has been made in recent years on utilizing not only coal but slag from strip mines, via gasification, for conversion into diesel fuel using a modern version of the gasified-coal-to-diesel process used in Germany during World War II.

Qatar has begun a large-scale process of converting natural gas to diesel fuel.

Outside the realm of conventional oil, the tar sands of Alberta and the oil shale of the Western U.S. exist in huge deposits, the exploitation of which is currently costly and accompanied by major environmental difficulties, but both definitely hold promise for a substantial increases in oil supply.

Plug-In Hybrids and Battery Improvements

A modification to hybrids could permit them to become ''plug-in-hybrids,'' drawing power from the electricity grid at night and using all electricity for short trips. The ''vast majority of the most fuel-hungry trips are under six miles'' and ''well within the range'' of current (nickel-metal hydride) batteries' capacity, according to Huber and Mills (The Bottomless Well, 2005, p. 84). Other experts, however, emphasize that whether with existing battery types (2–5 kwh capacity) or with the emerging (and more capable) lithium batteries, it is important that any battery used in a plug-in hybrid be capable of taking daily charging without being damaged and be capable of powering the vehicle at an adequate speed. By most assessments some battery development will be necessary in order for this to be the case. Such development should have the highest research and development priority because it promises to revolutionize transportation economics and to have a dramatic effect on the problems caused by oil dependence.

With a plug-in hybrid vehicle one has the advantage of an electric car, but not the disadvantage. Electric cars cannot be recharged if their batteries run down at some spot away from electric power. But since hybrids have tanks containing liquid fuel (gasoline and/or ethanol, diesel and/or biodiesel) plug-in hybrids have no such disadvantage. Moreover the attractiveness to the consumer of being able to use electricity from overnight charging for a substantial share of the day's driving is stunning. The average residential price of electricity in the U.S. is about 8.5 cents/kwh, one-quarter the cost of $2/gallon gasoline. So powering one's vehicle with electricity purchased at such rates is roughly the equivalent of being able to buy gasoline at 50 cents/gallon instead of the more than $2/gallon that it presently costs in the U.S. Moreover, many utilities sell off-peak power for 2–4 cents/kwh—the equivalent of 12-to-25 cents/gallon gasoline. (Id. p. 83) Given the burdensome cost imposed by current fuel prices on commuters and others who need to drive substantial distances, the possibility of powering one's family vehicle with fuel that can cost as little as one-twentieth of today's gasoline (in the U.S. market) should solve rapidly the question whether there would be public interest in and acceptability of plug-in hybrids.

Although the use of off-peak power for plug-in hybrids should not initially require substantial new investments in electricity generation, greater reliance on electricity for transportation should lead us to look particularly to the security of the electricity grid. In the U.S. the 2002 report of the National Academies of Science, Engineering, and Medicine (''Making the Nation Safer'') emphasized particularly the need to improve the security of transformers and of the Supervisory Control and Data Acquisition (SCADA) systems in the face of terrorist threats. The National Commission on Energy Policy has seconded those concerns. With or without the advent of plug-in hybrids, these electricity grid vulnerabilities require urgent attention.

CONCLUSION

The dangers from oil dependence in today's world require us both to look to ways to reduce demand for oil and to increase supply of transportation fuel by methods beyond the increase of oil production.

The realistic opportunities for reducing demand soon suggest that government policies should encourage hybrid gasoline-electric vehicles, particularly the battery developments needed to bring plug-in versions thereof to the market, and modern diesel technology. The realistic opportunities for increasing supply of transportation fuel soon suggest that government policies should encourage the commercialization of alternative fuels that can be used in the existing

infrastructure: cellulosic ethanol and biodiesel. Both of these fuels could be introduced more quickly and efficiently if they achieve cost advantages from the utilization of waste products as feedstocks.

The effects of these policies are multiplicative. All should be pursued since it is impossible to predict which will be fully successful or at what pace, even though all are today either beginning commercial production or are nearly to that point. The battery development for plug-in hybrids is of substantial importance and should for the time being replace the current r&d emphasis on automotive hydrogen fuel cells.

If even one of these technologies is moved promptly into the market, the reduction in oil dependence could be substantial. If several begin to be successfully introduced into large-scale use, the reduction could be stunning. For example, a 50-mpg hybrid gasoline/electric vehicle, on the road today, if constructed from carbon composites would achieve around 100 mpg. If it were to operate on 85 percent cellulosic ethanol or a similar proportion of biodiesel fuel, it would be achieving hundreds of miles per gallon of petroleum-derived fuel. If it were a plug-in version operating on upgraded lithium batteries so that 20–30 mile trips could be undertaken on its overnight charge before it began utilizing liquid fuel at all, it could be obtaining in the range of 1000 mpg (of petroleum).

A range of important objectives—economic, geopolitical, environmental—would be served by our embarking on such a path. Of greatest importance, we would be substantially more secure.

Ms. CANTWELL. There are lots of third parties saying we can achieve this goal. I want to bet on the American ingenuity that is outlined in this bill, and other American ingenuity, that we can achieve what it takes to get there. So I am not afraid of setting this goal. I am glad third parties are validating that we can achieve it.

My colleague wants to say this is about putting a man on Mars or something of that nature. I can tell you, the American people are right here on planet Earth and paying $2.36 or close to it for gasoline in Seattle, and that is too high. What Americans want is relief. What they know they will not get is relief from language that says we are going to be more dependent in 2015 than we are today. They want us to set a goal to get off that overdependence because, frankly, there is not true competition on oil prices. That is to say when Americans have no alternative fuel at the pump and they have to pay that price, there is no true competition. So Americans want to get off that overdependence. That is what the amendment says and that is what we want to achieve by 2025, 20 years from now.

With all the myriad technology in the legislation and all the technology we can create between now and then, let's reverse the trend and be less dependent on foreign oil in 2025 than we are today. That seems to be a national goal on which everyone in this body ought to be able to agree. We should not be afraid of the underlying bill and the great work that has been done by my colleagues. I cannot say who the ultimate winners and losers will be. My colleague has spoken about new nuclear technology, he has talked about natural gas—there will be many ways. But I know if we set this goal and tell the American people they are not going to be strangled by high energy costs moving forward maybe up to $100 a barrel, then we will actually achieve that goal. But our underlying language right now does not get us there. So I hope we will embrace the bipartisan effort that the Senate committee had and work together on this to set a goal we will be proud of, in the sense of reversing the trend so we are not in 2015 being more dependent on foreign oil, but in 2025 being less dependent on foreign oil.

I yield the floor to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Let me thank my colleague from the State of Washington. I think she has offered an amendment that is worthy of the kind of significant debate we should be having about energy. I recognize that tomorrow's newspapers will not likely include this discussion on the front page. I was watching the television programs last Sunday, including one with perhaps one of the most esteemed columnists in this country, one of the best, in my judgment, David Broder. They were talking about the majority party and Democrats and the political differences. David Broder observed that the Democrats need to come forward with a positive agenda—with an agenda. What is their agenda?

The fact is, people don't cover positive news. You can be on the floor all day with an agenda and they will not cover it. This will not be on the front page of the paper tomorrow.

On the front page today is Michael Jackson. His attorney says he has agreed to end the behavior that got him into such trouble.

A new ''Batman'' movie, I noticed on the front page.

The Lakers have hired a new coach. That is on the front page of the newspaper.

I don't think this debate will make the front page and that is regrettable, because this is a big issue. This is an important issue. The question is, are we going to set goals as a country and aspire to achieve those goals? There is an old saying that if you do not care where you are going, you are never going to be lost. Where are we going with respect to energy? We know that 60 percent of our oil comes from off our shores—60 percent from off our shores.

I asked the Energy Department officials one day when they came before the Energy Committee: We talk a lot about 50 years from now, like what will be the consequences of the Social Security financing system 50 years and 75 years from now. Then I asked these officials to tell me what their plan is 50 years from now with respect to energy usage and energy supply. You would have thought I hit him with a baseball bat. They did not have the foggiest idea. They don't have a 50-year plan for energy. We know that 60 percent of our oil now comes from off our shores, much of it from troubled parts of the world. Yet here we are, blissfully moving along, buying one big vehicle after another.

In fact, pull up to the next stoplight and pull beside a humvee; that is about 6,500 pounds—I will get a letter from the humvee folks, I suppose—6,000 pounds or so. I am sure it gets single-digit gas mileage. I never took Latin, but I think of the Latin term ''totus porcus'' whenever I pull up next to a humvee. Someone told me it means whole hog. Here we are, blissfully moving along, driving our humvees, driving our SUVs, understanding that the question of whether we continue to have an oil and gas supply in this country is not up to us, it is up to the generosity of others, their willingness to pump it, their willingness to sell it, and the question of, at what price do they sell it to this country.

I want to tell a story. Late one evening, I was in the old Air Force One, the old 707 used by President George Bush, the first. That plane was retired and is now in a museum. But that old Air Force One is the airplane that carried John F. Kennedy's body from Dallas, TX, to Andrews Air Force Base the night that he was shot. It is a great old airplane. One of the last trips made in that old Air Force One was to Asia. I was on that trip. Senator John Glenn was on the trip and about two or three other Senators. We were going to China and Vietnam and a couple of other places to talk to foreign leaders.

Late that night, in the dark, in the front cabin which the President would have used when it was Air Force One, we began talking as we were sitting around, as colleagues do. I asked John Glenn about his space flight because I was a young boy listening to the radio with rapt attention when I heard that John Glenn circled the Earth. I asked him questions about it. What was it like going up in that space capsule and being the first American to orbit the Earth? He leaned forward, and for the first time he began talking about that flight to us.

One of the things he told us I never have forgotten. As he crossed from the light side of the Earth to the dark side of the Earth—some of you might remember that all of the citizens of Perth, Australia, decided to turn on all of their lights so that when this human being in some small little capsule called *Friendship 7* orbited over the dark side, Perth, Australia, wanted to shine all their lights up so that John Glenn could see them. And John Glenn told us that night, sitting in that old Air Force One cabin, flying across the Pacific, he told us that he looked down on the dark side, and the only thing he could see on that path around were the lights of Perth, Australia.

Think of that. This big old planet of ours, with 6 billion people, that spins around the Sun, we have a human

being for the first time orbit the Earth. He looked down on the dark side and saw the product of the light switches turned on by all those citizens in that community in Australia. The only evidence on the dark side of the Earth that John Glenn could see as he orbited the Earth was the product of energy—light.

We take energy for granted every single morning. We wake up, we flip the switch on, and it is energy at our fingertips. We put our key in the ignition, we turn the ignition on, and it is energy at our fingertips. We turn on the air conditioner or the heater, it is energy at our fingertips. We take it for granted. The story John Glenn told describes that the human condition in this country depends a lot on the availability of energy.

What has the Senator from Washington said today? She said: Let's have a big idea. I am pleased to support this amendment and to come over and speak about this amendment because this is a big idea. It says: Let's set a goal. Let's set a target, a timetable. I know there will be some, and there are some, who say it shouldn't be done, won't be done, can't be done, can't be done, can't be done. I understand these comments. That is always the case.

In my little old hometown, we had a guy named Grampy. His reaction to everything was, it can't be done. He always supported it after it was done, but he always said, it can't be done. While he was saying it can't be done, the other folks in my little hometown were doing it, out making it happen.

This country has a responsibility at this intersection, at this time, at this moment, to decide on a different energy future. We cannot hold this country hostage by being dependent on 60 percent of our oil from troubled parts of the world.

I talk a lot about trade. In part, this is a trade issue. We use nearly 21 million barrels of oil a day. The Saudis suck that oil out of the sands. They are blessed with a lot of oil under their sands. Then the oil comes over here, and we say, well, go ahead and fill her up over here and we will just give you a credit card. By the way, our folks will pay for it later. That is exactly what happens because that is how we get a $640 billion trade deficit—which, by the way, next year we are on the path—for the first 4 months of this year—we are on the path to exceed $750 billion in trade deficit next year. This is just one construct of that transaction, saying: Suck the oil out of the sand, send it over here, and we will pay later. It is like going to the gas station saying: Fill it up, here is a plastic card. We will not pay now, we will pay later.

This cannot continue. What if, God forbid, we woke up and discovered our oil supplies from Iraq, from Saudi Arabia, from Kuwait, from Venezuela, from any other country around the world, were gone. If that happened, I guarantee this economy will be belly up immediately. We cannot exist as a world class economy, we cannot exist, without this supply of energy.

What about this energy? We are hopelessly addicted to oil. When you have an addiction, the best way to deal with an addiction is to have an intervention. My colleague from Washington is saying let's have an intervention. Let's decide the future has to be different from the past. She says let's propose a big idea. I support that, as do many of my colleagues. Let's really have a big idea. Let's decide to reduce our dependence on foreign oil in the next 20 years by 40 percent.

Some say it can't be done. Well, we decided to go to the Moon. We did it in 10 years. We cannot do this in 20? Don't underestimate the American people. Of course, we can do this in 20 years.

I will go through a list of technologies, and my colleague from Tennessee listed some, but there are a lot of hopeful things on the horizon. Those things alone will not solve this issue. We have to be more aggressive, much more aggressive, by setting timetables.

Those who are pilots, they understand what I mean when I say you set waypoints when you are in the airplane. You get in the cockpit and decide where you are going to fly and you set waypoints and fly to a waypoint. We need to set targets, waypoints. Where do we want to be? How do you measure where you are if you do not have a discussion about where you want to be?

That is what this amendment is about. It is not about 80-mile-per-gallon CAFE standards or 50-mile-per-gallon CAFE standards. It is not about that at all. It is about whether this country collectively will decide that when it is dependent on something, dangerously dependent on something that it must shed its dependency on, whether we will make the decision to stop that dependency. Will it make a bold decision to stop the direction we are heading, turn it around, and back off?

I don't know the answer to that. We will find out at some point. If anyone happens to be listening with respect to reporting on positive agendas, I would say here is an example of a positive agenda, a positive idea, a big idea. Big and bold. Risky? I don't know. I know the riskiest proposition for this country. By far, the riskiest proposition for this country is to keep doing what we are doing and be dependent and held hostage to 60 percent of our oil coming from outside of our country.

Those who have studied economics, and I have studied and taught economics—probably not very well—but you will recognize the doctrine of comparative advantage. It was a simple doctrine. The doctrine of comparative advantage is, and the example traditionally used is, it is easier to produce wool through sheep in England and to grow grapes and wine in Portugal. It makes more sense, is more efficient to do both in England and Portugal, and then the English can ship their wool to Portugal, and Portugal can ship their wine to England, and they have traded. They have each produced what is to their advantage. The English raise sheep, get the wool; the Portuguese raise grapes, make the wine; and you simply trade wool for wine. It is a very simple construct, the doctrine of comparative advantage.

That is not what this issue is about. The issue of energy has nothing to do with the doctrine of comparative advantage. The advantage here is not comparative. The advantage here is that in the Middle East you have a massive amount of oil under the sands. It is pulled up less expensively there than any place else in the world. A few people sit on massive reserves of oil. And we have become addicted to its supply. As a result of that, instead of getting ourselves out of a hole, we are still busy with shovels continuing to dig.

We need to find a way and develop a goal that says at a certain point this country's future is no longer dependent on someone else providing for us the oil we need. We need to do that. Is it hard? Sure, it is hard, absolutely. This is not an easy thing to do. But do we have a choice? I do not think so. I do not believe we have a choice.

My colleague described a number of technologies that are being discussed these days. Let me describe a few of them.

Wind. Does anybody here understand how much more efficient the new wind turbines are? The new turbines are much more efficient. We are in a situation where we have the capability of taking energy from the wind. You take energy from the wind, a renewable resource, use it to produce electricity, use the electricity in a process called electrolysis, and separate hydrogen from water, and have an inexhaustible supply of hydrogen coming from water. Where does that come from? It comes from renewable energy, an inexhaustible supply of energy.

We just finished the ethanol title on this piece of legislation today. What a wonderful thing that is, to grow energy in your farm fields. Take a kernel of corn, and from that kernel of corn comes a drop of alcohol and, in addition to the drop of alcohol, you still have the protein feedstock left to give to the cows. It makes a lot of sense, doesn't it?

I know some oil companies do not like it. When I learned they did not like it, I figured this has to make a lot of sense for our country. So we passed an ethanol title. The renewable part of this legislation dealing with wind energy and biodiesel and a range of other strategies makes great sense.

I particularly have been interested in helping write the title that deals with hydrogen and fuel cells. Some say: Well, we are not ready for that. You are right, at this point we do not have all the solutions of production, storage, transportation, and infrastructure. I understand that. But we can, and we

will, and other countries, particularly in Europe, are moving rapidly in this direction. And even as an interim step we are seeing these hybrid cars. But we are going to move rapidly toward a different construct: hydrogen fuel cells—twice the efficiency of power to the wheel and water vapor out the tailpipe.

What a wonderful thing. Hydrogen is ubiquitous. It is everywhere. There are many strategies to employ to take hydrogen from water, using renewable resources, to extend our country's energy supply in a dramatic way and move us toward less dependence and greater independence.

The one thing that characterizes this country is how famously wrong people have been in trying to prognosticate the future. There is a whole list of these famous projections. Thomas Watson, in 1943, who was the chairman of IBM, said he thought maybe there was a world market for up to five computers. He was the head of IBM in 1943: I think maybe there is a world market for five computers. Sarnoff once said, with respect to the proposal to develop the radio: Well, who on Earth would pay for a message sent to no one in particular?

I guess they missed the mark. I could go through a long list. We are famous for not understanding what promise the future holds. This is not going to the Moon. That is not what this is. But this country does best when setting goals, such as when John F. Kennedy said, in response to Sputnik and in response to the race with the Soviets: We are going to go to the Moon by the end of the decade.

I have talked to folks at NASA who were around back then, the old codgers, the old-timers. They scratched their heads: How on Earth are we going to get to the Moon? We don't have the technology to get to the Moon.

Did you know the lunar lander that landed on the Moon with Armstrong and Aldrin had less computer power than a current new car has? Let me say that again. The lunar lander, on which Buzz Aldrin and Neil Armstrong settled on the surface of the Moon, had less computer power than a new car that you purchase today at the dealership anyplace around this country.

That is remarkable. But those scientists, those engineers, that American ingenuity, that know-how, that spirit said: We are going to do this. We are going to put someone on the Moon in a decade. And guess what. By the end of the decade, there they were. ''One small step,'' you will recall, when Neil Armstrong planted his foot on the Moon.

This country needs to establish goals. This country needs to have aspirations. All of us need to be a part of something that is bigger than ourselves. We debate so many issues on the floor of the Senate that have so little importance. This issue will determine whether our kids and our grandkids and their kids have jobs and opportunities and live in a country that has an economy that expands, that improves the standard and scale of living in the United States. That is what this amendment is about.

Read the history books. Just because we are here on this designated spot in America, we think we have some blessing, some right to believe that America will always grow, always expand, always lead the world. Not so. It will be the case only if we make good decisions, only if we make the right decisions.

This country has a wonderful economy. You can circle the globe in any kind of plane you want and you can look down on any spot in the world, and you will not find the equivalent of the United States of America—nowhere. But we are headed toward some whitewater rapids here in a range of areas. We are spending money we do not have. We have the highest budget deficits in history. We have a trade deficit that is going to choke this country unless we get it under control. And, I think most importantly, we have an economy that is running on foreign oil.

Sixty percent of that which we use comes from elsewhere. An economy that is hostage to decisions made by OPEC, hostage to decisions that might be made by terrorists, hostage to 60 percent—and going, we estimate by the Department of Energy, to 69 percent in a relatively short period of time—of its oil coming from off its shores, is a country, in my judgment, that is not in control of its own destiny.

It falls to us to make the decisions to put this country on track. It falls to us to chart the future with respect to this country's energy. We have an energy bill on the floor. I have complimented Senator DOMENICI and Senator BINGAMAN. I am pleased this bill was brought to the floor in a bipartisan way. I voted for it out of the committee. I had a hand in a good many of the titles that were written for this bill. I could not be more pleased than to be here saying this is a step that is a positive step in the right direction: a bipartisan energy bill.

My hope is the amendment that has been offered by Senator CANTWELL will be embraced on a bipartisan basis as well because there is not a Republican or a Democratic way for this country to go off course. There is not a Republican or Democratic way for this country to need energy and not have it and, therefore, shrink its economy and shrink opportunity for the future.

We need to do this together. Together we need to describe a big, new, bold idea that charts a new course for this country, a new energy course that gives us some feeling that we are moving toward independence.

There is all this discussion these days about freedom. I am not talking about ''freedom fries'' now, I am talking about freedom and independence. All of that was undergirding the State of the Union Address given to us by President George Bush.

Well, in my judgment, the issue of independence related to the word ''freedom'' these days applies to a lot of things. And it must—it must—apply to the circumstances that this country finds itself in with respect to its dangerous, its hopeless addiction to oil coming from off our shores. As I have said previously, we simply cannot hope that in the months and years ahead the Saudis, the Kuwaitis, the Iraqis, the Venezuelans, and others, will decide there is enough oil to share with us.

My colleague from New Mexico, the other day on television, I think, actually said—I did not hear him exactly—but there may not be a completely inexhaustible supply of oil in this world. We act as though it is inexhaustible. Every day we wake up in this country and use over 20 million barrels of oil.

We pretend it is inexhaustible. Maybe it is not. If it is not, what then: That is why I believe we ought to set some goals. This has nothing to do with politics. The Senator from New Mexico just came on the floor. He missed the credit I have given him and Senator BINGAMAN. I like what we have done. I am going to vote for another energy independence amendment called the renewable portfolio standard, requiring 10 percent of our electricity be made with renewables. We didn't have that in committee because we decided to do it on the floor. Some utility companies don't want it. I understand that. There is lots of room for debate. Maybe my view isn't the right view. I don't know.

I know my view is one I hold passionately. I believe strongly that we need to do what is in this bill because it moves this country forward and advances our energy interests. I also believe we ought to do more. I believe we should set big, bold goals for America's energy future, see if we can't free ourselves from a hopeless dependence on foreign oil that is set now to grow and grow. Let's decide to make a U-turn and see if we can't begin to move in a more constructive direction.

The Cantwell amendment will improve the legislation. I am going to vote for the Energy bill. I voted for it in committee. I am proud to vote for it. I am also going to vote for some things that will improve it. This positive idea is going to improve the legislation. I am happy to be a cosponsor and happy to support it.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from North Dakota for his comments. I wish I could take credit for the bold idea in the sense that I am happy to be the sponsor of this amendment, but there are many people in America who have been talking about this as an idea.

I submit for the record another organization that has supported a blueprint for U.S. energy security, the Set America Free Organization, which is a collective organization of individuals, and they actually submit information that would be much bolder than a proposal to set a goal in number of barrels that could be saved by 2025.

There are a lot of people out there who have their sights set even more dramatically than what we are talking about.

Clearly, my colleague outlined that we are talking about something that is technologically agnostic. We are not declaring what technology is going to win. There are lots of great solutions that are provided in this bill. But I would like to remind my colleagues that today at 2 p.m., the price of oil per barrel was up to $56.50. So that is what we are dealing with, $56.50.

I know my colleagues in the Chamber were involved in getting the original language of 1 million reduction by 2025. I think that language first emerged when the Senate was considering previous Energy bills 2 years ago. At the time we originally started thinking about this goal of how to get off our foreign oil dependence or to reduce it, we were talking about oil prices that were much lower, maybe as low as $23 a barrel. Now we are looking at $56 a barrel. It is imperative that we be more aggressive by setting this goal and by working together to achieve it.

The underlying bill is a testament to bipartisan work in saying that there are a variety of ways to reach the goal. Some may ask: Senator CANTWELL, why do you want to set this goal? You might actually find the United States pursuing more domestic oil supply as a result of this goal.

I can't say what is going to happen. I just know I want to get off the foreign dependence that we are at today because our economy cannot continue to take that risk. With the concentration of oil supply in the Middle East, we are one mishap away from having our economy face a $100-a-barrel oil cost in the future. We cannot afford $56 a barrel. Some people say: Well, economies adjust to the high cost. I guarantee, in the meantime, a lot of people are going to suffer. There is not a week that goes by that I am not on a plane flying back to the west coast, to my home State of Washington, and a transportation worker doesn't come up to talk to me about their pension, the fact that they are laid off, the fact that they are losing their job because transportation fuel costs in aviation have not been passed on to the consumer. Consequently, it is being taken out on pensions. So there isn't a week that goes by where I don't see somebody who hasn't suffered from the high cost already, at $56 a barrel.

We cannot continue this dependency or the race we are going to be in with China on competing for a limited supply.

I am confident enough in American ingenuity that I am not even going to be prescriptive about how we get there as it relates to whether it is nuclear, another supply of oil, biofuels, what is going to win the day. I showed a chart because I am a big advocate of biofuels. If you can buy biofuels in Seattle now in the $2.60 range, $2.70 range, I know that we can create more incentive, as we are in this bill, more research and development to get that cost down. So I know I can get it competitive to what I think gasoline prices are going to be. I want to do that. I am gung-ho about that.

I am gung-ho about what the Brazilians have done because they have turned their economy around by becoming almost net exporters of energy instead of net importers. That is an incredible story the United States should learn from.

As my colleague from North Dakota said, there are many different technologies in the bill, but other countries are starting to gain the advantage. If we think about it, we are not the experts on fuel efficiency that the Japanese are. We are not the experts on wind energy that some of the Scandinavian countries are. We are not the experts on the production of sugar-based ethanol that the Brazilians are. It bothers me that we are losing the technology edge to other countries.

I certainly am willing to take the risk of setting a goal of 2025 in reducing our foreign oil consumption by 40 percent and saying all the options are on the table. I believe that Senator DOMENICI and Senator BINGAMAN did a good job of putting all those options on the table. I believe in the underlying bill. What I think we should reflect on is that the underlying bill includes language from a couple of years ago that may not be bold enough in the sense that if it doesn't reduce our dependence on foreign oil in 2015, we will be more dependent.

We should reflect on that and see if we can get to a point where we are endorsing the underlying solutions in this bill and setting a higher goal so that we can say to the American people, we are reversing this trend.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank the Senator from Washington. I thank my kind colleague from Louisiana. I attended a meeting at the White House and just returned so I only had this time to do it. I appreciate the opportunity to discuss the Cantwell oil savings amendment.

Obviously, it sounds good. Anybody who says we are going to save more oil, it is a good thing. But I urge my colleagues to look at it for what it really is. This appears to me to be a backdoor attempt, arbitrarily, to increase the corporate average fuel economy or what we call the CAFE standards. Along with my colleague from Michigan, Senator LEVIN, we have been through the CAFE debate in both the 107th and 108th Congress. It appears, from all I can tell, that if this amendment really has any teeth, it means we are going to go through it again in this Congress. I am sure there will be other efforts to increase CAFE standards later in the debate.

Let me remind my colleagues, we went through extensive debate, and we got signed into law measures saying that we must push the technology to increase fuel economy as fast as we can. We directed the National Highway Traffic Safety Administration to examine the technology and increase the required CAFE standards as quickly as can be done with the technology available.

Now, I believe that after all of our debates on CAFE, the Members of this body understand that corporate average fuel economy is a complex issue that requires a lot of thought and scientific analysis. That is why previous CAFE measures in the last Congress were defeated. Members have come to realize that the massive arbitrary increases in CAFE standards cost lives, jobs, and stifle the ability of consumers to choose the vehicle best for their families.

It is wonderful to say we want to make a statement—we are not saying how we want to get there, but we really ought to have a major decrease. Well, Mr. President, the effort by Congress initially to establish CAFE standards, without knowing how you are going to get there, wound up with the auto manufacturers being forced to lower the average weight of their automobiles by about a thousand pounds.

As I will be discussing later, we have lost thousands and thousands of lives because of unsafe automobiles. Unless you mandate that only certain cars can be sold or you tell people what they have to buy, people may not buy the cars that are made small to conform to the CAFE standards.

While I laud my colleagues' desire to conserve oil, the fact is that under this amendment, as best we can determine, the only place oil savings can come from would be a massive increase in CAFE standards. The amendment requires the use of existing authorities to obtain these savings, but they appear to be inadequate to the task required. Authorities to implement the requirement or mandate are very limited.

According to a recent Energy Information Association report, by 2025, oil consumption reductions on the order of 1.3 million barrels per day might be expected using a broad array of incentives and policies, such as new appliance efficiency standards, credits for home efficiency upgrades, additional tax credits for advanced technologies, energy performance standards for customers of selected utilities, and, of course, the promotion and use of renewable fuels. Many of these policies are already outside of the scope of existing authorities and still fall short of the goal of this amendment of 7.64 million barrels per day.

Furthermore, assuming the renewable fuels standard included in the bill can be doubled by 2025 to 16 billion gallons per year, which is ambitious and also beyond existing authorities, it would contribute only 1 million barrels a day of petroleum reduction toward the Cantwell goal. As a result, some 4

to 5 billion barrels per day would be required, and there is no readily apparent source to get it from.

The Cantwell amendment fails to protect these policies subject to existing authorities from excessive implementation. Existing programs, such as CAFE, may be called upon to provide contributions toward the goal that are far in excess of the normal implementation of these programs if there are inadequate overall authorities or demand reductions to accomplish these goals and other measures. For example, the Energy Information Association analysis referenced above estimates that with a 20-percent increase in CAFE standards by 2012, in conjunction with the other policy options analyzed, only a 1.1-percent decrease in the net import share of oil consumption occurs by 2025. The 40-percent reduction required in the Cantwell amendment is far beyond what can reasonably be expected, using existing authorities.

The proposed amendment assumes that huge, new opportunities exist to reduce oil demand, but existing programs will ultimately be held accountable. The development of fuel cells and extensive implementation of other advanced technologies may contribute significantly to the accomplishment of the goal, but the contributions they might make are highly uncertain. If we don't know where they are coming from, the consequences could be something very different than what we bargained for and having the adverse consequences we have seen from other broad mandates where Congress assumed that great, good things could be accomplished. Those are some of the reasons, frankly, we got into this energy problem, because of some of the ''great'' ideas. I will only mention the forcing of electric utilities to burn natural gas, which has caused a great part of the energy problem we have today.

In addition, since the measures must be defined and implemented starting within a year, existing programs and authorities would have to be relied upon extensively to develop the plan and to make up any shortfalls.

The Cantwell amendment would push the administration to rely on contributions from programs and activities that are high risk, high cost, and the benefits are unknowable at this point. The President is allowed 1 whole year under the amendment to develop and implement measures that will save an amount of oil equivalent to 90 percent of the annual consumption of the current light-duty vehicle fleet. However, the timing and the level of contributions of programs such as fuel cell and hydrogen development can only be guessed at this point, and authorities to fully implement them are still being developed. In light of this, my question would be, How can the President obtain the oil savings required under this amendment?

According to the Department of Energy's EIA, the vast majority of petroleum consumption in the United States—68 percent in 2002—is in the transportation sector. Any reduction in petroleum consumption will imply a substantial contribution from this sector.

Under the Cantwell amendment, CAFE standards for cars, light trucks, and SUVs will skyrocket. The Alliance of Automobile Manufacturers, in its examination of the EIA's assessments on oil savings, projects that the Cantwell amendment will require CAFE standards for passenger cars nearly to triple from its current level of 27.5 miles per gallon to 78.6 miles per gallon by 2025. Anybody for riding a golf cart? Furthermore, the CAFE standard for light trucks and SUVs would nearly triple from its current level of 21 miles per gallon to 60.8 miles per gallon by 2025.

Under the 20-year duration of the proposed amendment, the yearly percentage increase for passenger cars and light trucks would be equal to a 10-percent rate of increase. According to NHTSA, the ''maximum feasible'' standard for cars and light trucks for the years 2005 to 2007 is a 2.8-percent rate of increase. To go above that, to have the 10-percent increase, would not only be technically infeasible, but it would have a devastating effect on employment in the auto industry. If the requirements of the Cantwell amendment are enacted, then we could kiss tens of thousands of good, high-paying, American union jobs goodbye. I don't want to do that to the roughly 36,000 hard-working men and women who work directly for the automotive industry in Missouri, nor am I willing to do that to the over 200,000 men and women who work in auto-dependent jobs in my State or those employed directly and indirectly throughout this Nation.

Furthermore, what does the Cantwell amendment mean for the size and safety of our Nation's vehicle fleet? If we force consumers to drive smaller vehicles, which is what will happen under arbitrary CAFE increases, then we can expect a lot more highway fatalities.

Yesterday, I received some frightening statistics from NHTSA and the National Center for Statistics and Analysis regarding the small vehicle fatality rates. In 2003, over 3,200 fatalities resulted from crashes involving smaller vehicles. This is anywhere from 2 to 7 times more than the fatality rates for larger, heavier vehicles, depending on their weight class.

As we talked about the last time we debated CAFE, when we take a look at it over the years, NHTSA has found that solely as a result of the lighter cars made necessary by CAFE standards, between 1,000 and 2,000 more people were killed on the highways than would have been killed if they had larger vehicles. This isn't just on head-to-head, running into another larger car or a larger vehicle; over 40 percent of those were single-car accidents.

The latest figures I have heard is that NHTSA estimates that 1,300 deaths a year occur because of the mandated smaller size cars made necessary by the CAFE standards. Make no mistake, you may call this an oil savings, but this is CAFE all over again. As I have stated time and again, far-reaching increases to fuel efficiency standards that are not based on sound science are too costly and impractical for us to adopt. The lives and safety of drivers and their passengers, along with the livelihood of men and women in the automotive workforce who manufacture these vehicles, is too much of a price to pay for unthought-out, unscientific fuel efficiency standards.

And, finally, make no mistake about it, this goes to consumer choice. Consumers are making the decision on what kind of vehicles they want to drive. Right now, more and more of them are opting for light trucks. Are we going to tell them that we are going to tell them what kind of vehicle they can purchase? Are we going to have some Soviet-style czar who says because they have two parents and two children in the family, we will allow them one minicar and one small van? Who is going to decide if we take away from the consumers their right to choose these vehicles?

If we have fuel standards of 78 miles per gallon, we are not going to be able to buy any of the cars we want. Consumers are not going to have choices. We are going to see people out of work in the auto industry, major disruptions in the transportation sector, a great inconvenience, and increased highway dangers.

I urge my colleagues to continue to work for sound, science-based ways to conserve and produce more energy and to reject a measure that does not have a good, sound scientific foundation.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I will take 1 minute. Before Senator BOND leaves, I thank him for his statement. I have heard the Senator eloquently describe this whole situation regarding automobiles in the United States and CAFE standards, but it seems to me this amendment is even way beyond anything we debated before. We are talking about changing by a couple miles, 2 or 3 miles. What we are talking about here would never become law. Let's be serious about it. But if it would, we are talking 3 or 4 times the CAFE standards we have today. What kind of cars could we build?

Mr. BOND. We would have golf carts.

Mr. DOMENICI. It seems to me the answer is impossible. That is the answer. This is an impossible amendment. People want to dream, but you do not build a country on dreams. Maybe you can dream, wake up and think of something that is quite appropriate for goal achievement. This seems like somebody dreamt up something to tell us we ought to save 40 percent of crude oil we use in the United States by 2025; is that what it sounds like to the Senator?

Mr. BOND. Mr. President, I am happy to answer. Obviously, it is well-intentioned, but I agree with the distinguished chairman of the committee who has done an excellent job on this entire bill. I commend him. The chairman and ranking member, our two friends from New Mexico, have done great things in this bill, but I think this kind of amendment would cripple its chance of passage. It does not meet the test of scientific reasonableness, sound science that I think we have to follow if we are to make some major improvements in the energy situation in our country.

Mr. DOMENICI. I thank the Senator. I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I wanted to come to the floor to make a few brief remarks about the overall Energy bill that is before us, about some of the strong points in this bill and how we might be able to improve upon it.

I would like to briefly mention, along the lines of the discussion that just ensued, importing oil and the challenges that brings to our Nation. I will submit a few documents for the RECORD and discuss generally the situation that we have in Louisiana. Of course, I will not be offering any amendment at this time but just discussing something I know we will be talking more about as this debate ensues.

While I understand the amendment before us is quite an aggressive amendment—and at this time, I have not made a final decision about it—I would like to say something positive about the amendment.

One of the points I like about this approach, while it is very aggressive because it is similar to an approach that Senator ALEXANDER and I took 2 years ago on the Energy bill, is the flexibility that it provides to the country to try to make smart strategic choices about how savings can occur and smart strategic choices about lessening our dependence on foreign oil.

Coming from an oil-producing State, I can say that the people in Louisiana who produce oil and gas right here at home would like to reduce our dependency on foreign sources of oil.

The question is—and I think the chairman raises a very excellent point, and it is a real question—can we do that this fast, this aggressively, and maintain our economic position? We may or may not. But I want to say that anything we can do to reduce our dependency on foreign oil, while we recognize that we are just about to open to the imports of natural gas because we virtually have no choice—we have to because we cannot step up domestic production fast enough to meet the demands because China, because India, because our industries—chemical, petrochemical, agriculture, and others—are demanding more natural gas. We are about ready to bring in natural gas, where in some ways, while I support that, it will compound the problem of dependency.

It really is a dilemma. I say to the Senator from Washington that I think the flexibility of her proposal is very important, and the fact that this amendment does not say we have to conserve, we could, in fact, produce more domestic oil and gas which I happen to think would be a great idea. I know the chairman and the ranking member support more domestic drilling of oil and gas.

I want to say a word about that for a moment. We do not do anything the same way today that we did in the 1930s. Our telephones do not work the same way. We did not even have computers in the 1930s. Everything has changed. Technology for the large part has made everything better. Some people might argue with that statement, but the efficiency, the convenience, the ability to clean up our environment—everything has been made better in large measure by technology.

The oil and gas industry is not what it once was when the men and women who started it were paddling in a pirogue, a canoe—that is what we call a pirogue in Louisiana. A pirogue is a canoe—in the marsh pumping the oil out of the ground by hand and digging with shovels and crude instruments. This industry resembles more of the space industry today. It is run by computer. It is highly technical.

The environmental advances are absolutely astonishing. I have taken the chairman down to Louisiana. He has seen this with his own eyes. The wells, where they are situated, the offshore platforms, I believe, would make any American proud, even Americans who belong to the California Sierra Club. I absolutely believe they would be proud if they could see the development of this oil and gas industry. In fact, one of the majors told me—and I do not have any reason to doubt them because I think independent studies have shown this—that in the Gulf of Mexico last year, in the entire Gulf of Mexico, that oil company collected three barrels—three barrels—of spilled oil from its operations, and it has billions of dollars invested.

That is how good we have gotten. Guess what. We are the best in the world. Instead of bellyaching, we should be proud of that. We should say thank goodness for that old American ingenuity. We did not do it very well in the 1930s, and we did not do it well in the 1940s, but one good thing about America is we never stop trying to be better. It separates us from so many places in the world.

Coming from an oil and gas State, I would be the happiest person in the world if we could stop importing oil, drill it at home and explore new places that are appropriate. Some places may need to be off-limits but not everyplace.

There is a place that is not off-limits and we are proud of, and that is south Louisiana and the work that we have contributed to this country. I am going to show my colleagues this chart because this is where all of the drilling off the coast of our country occurs: Texas, Louisiana, Mississippi, and Alabama. We have been producing oil and gas and sending $5 billion annually to the Treasury in taxes every year. Yes, there have been some environmental impacts which I am going to talk about in a moment, but they have been minor compared to the wealth that this industry has created not just for this region but for the entire Nation.

Does anybody remember we have gone through an industrial revolution? Does anybody remember that everybody moved off the farms and went to the cities? How do people think the cities got lit? It did not wave a magic wand and the lights came on. We have been producing and digging from coal, oil, and gas. So if anybody wants to say that, oh, well, we just do not have to do that any more, heck, the whole country was built on this contribution. People from Louisiana are darn proud of it.

Instead of everybody coming to the floor and saying how we do not care about our land and we do not care about our trees and we do not care about our coast and we do not have anything beautiful to preserve, not only do the people of Louisiana love our land and love our water, we survive on it and in it more than anybody in America. We swim more. We eat more fish. We spend more time in boats. We recreate more on the water than probably anyplace maybe except for a very few. Not only wealthy people get to the water, everybody lives by the water. In some places, one has to have a $5-million house before they can touch the water. In Louisiana, there are people who live in a house not worth $25,000, but they have a gorgeous marsh land behind their house, and those kids go fishing.

So I do not like to hear anybody come to this floor and say that we do not treasure our land in Louisiana. We are going to continue to produce oil and gas. We are going to continue to be proud of it, and we are going to continue to tell the story, whether anybody wants to believe us or not, that this can be done in a very safe environmental way. Why? Because we have good regulation; two, we have courts that enforce the regulation; three, we have all kinds of agencies—some would argue too many—that make sure that all of these companies are doing what they are supposed to do.

We have a free press, which means a lot because if somebody is doing something wrong, there is nothing I can do or the Senator from New Mexico can do to try to stop them from reporting it. So they can report anything they want. There is open information. I wish they would really tell people what is actually happening.

The point I want to make in just a moment is that we are going to continue to do drilling. I appreciate all the good work of my colleagues to try to

give more revenues to the State. We get a little bit, but because we are generating so much and helping everybody so much—let me just use this. I wanted to thank my colleagues for their interest in helping us, but this makes my point even better. When the Senator from Washington said she wants us to be more like Brazil, I am going to learn a little bit more about what Brazil has done because I am not quite sure of the details, but I will tell my colleagues about 11 States in the United States and what they have done. Those States are Utah, Colorado, North Dakota, Montana, Oklahoma, Kentucky, New Mexico, Alaska, West Virginia, Louisiana, and Wyoming. Eleven States out of fifty are the only States in the United States that produce more energy than they consume.

Let me say that again. There are only 11 States in the United States of America that produce more energy than they consume. So if anybody wants to give Brazil an award, please give these 11 States an award first because we have already done that. We produce oil and gas. We are net exporters of energy—well, we produce oil, gas, coal, nuclear. We can produce energy from a lot of different ways. This is not just oil and gas production. This includes nuclear. This is from the Energy Information Agency, our own agency, not from Louisiana or Senator LANDRIEU. This is the U.S. Department of Energy Energy Information Agency. This includes nuclear, hydro, geothermal, wood, wind, waste, solar, oil, natural gas, and coal.

As the chairman from New Mexico will say, his goal is to increase the choices of all of these so that more States can begin producing something. If my colleagues do not want to drill for oil, then drill for gas. If they do not want to do that, put in a nuclear powerplant. If they do not want to do that, put in some wind turbines. If they do not want to do that, dam up some of their rivers and use hydro. Some people will do that; some people will not. But for heaven's sakes, do something. Do something. If they want to mine for coal, we have given them a lot of money in this bill and they can clean the coal. It can be burned and used efficiently. Put in solar panels. Go get waste from the agricultural areas of their State. That is the whole point of this bill.

We have 39 States that need to make some decisions about what they are going to produce to be free because 11 of us have already figured it out.

I do not know these other States as well as I know my State, but in addition to being a net exporter of energy, I will also tell the country that Louisiana probably has the most petrochemical plants per capita than any State in the Union. Those products that are produced in my State are not consumed by my State alone.

We make these products and send them all over the country and the world. So not only are we producing enough energy for every single person in Louisiana—the 4.5 million of us—and what we need, but we are also fueling every plant, every LNG facility, every petrochemical facility, supplying so much for the Nation and still exporting because people in Louisiana kind of believe in good old-fashioned ''do your part'' kind of work.

We also conserve. I am so tired of people saying, oh, the Senator from Louisiana and the people from Louisiana, all they do is waste fuel. I do not have the document, but I am going to submit for the record—I am going to take the last 10 years—the efficiencies that Louisiana, through our industry, has achieved. Yes, some of them have been mandated by this body and they had no choice and they had to do it, but some of it is voluntary. We have tried to be more efficient as well and, of course, we have produced this energy.

Let me just point out three or four States that are at the top of this list. Actually, I am probably going to do five States.

The States that consume more energy than they produce are California at the top of the list, New York second, Ohio third, Florida fourth, and Michigan fifth.

Let me point out one other thing, because you will say, Why isn't Texas on the green list. I want to find where Texas is—here it is, 25. Texas is not a net exporter, but it is close. The reason it is not is because, of course, it is a big State, a huge State—20-plus million people, and they also have so much industry that they supply energy for, that helps us all, they don't quite make it. But I have to say Texas is doing a great deal. Perhaps they could do more.

But the rest of these you can understand. Maybe Hawaii is too small. Hawaii is not very big, but they are doing a whole heck of a lot better than California.

I want to be clear about who is doing what, who is not, and where we need to go and try to help everybody make the choices that work for their State but that also work for the country. It has to happen.

I will stop for a moment on that issue and move to something else.

Mr. DOMENICI. Will the Senator yield for a moment?

Ms. LANDRIEU. I am happy to.

Mr. DOMENICI. Just for a few minutes, without losing your right to the floor.

I want to say to the Senator, thank you for your discussion, as you zero in on what States do and do not do. I will not repeat that. People heard it and they ought to heed it. Some of the States you have alluded to ought to heed it, too. Some of them are the very ones who do not want to produce anything and have production somewhere else, not there.

But in passing, the Senator discussed offshore production in her State, which she described in terms of new technology that is very safe. There is nothing happening that hurts anybody. There is no degradation of the water, no degradation of the air. I have seen one of the new facilities. I wish everybody who is worried about offshore drilling would take a helicopter and go out there. They are not next door to your house, they are miles and miles out in the ocean, and they are very large. They look like a big battleship out there all lighted up, full of technology, with 10 or 12 oil wells you cannot even see, producing natural gas for America, and you don't know where it goes, no pipes, nothing. Nothing spills, and it is our resource.

The Senator knows in this bill one big thing is missing and that is we are not going to do anything significant about letting the United States of America or States make a decision that off their shores they could produce more natural gas or crude oil for this great country. That is because Senators will not vote for it because the Senators with coastlines stand up and talk about what you have been talking about here.

''We need the energy, we need to grow, we are great Americans, we have a lot of plants, we want jobs—but you bring the energy here.'' Right?

Off our shores, remember—and Americans should remember it well—sits the largest reserve of natural gas that America has today, but for some parts of Alaska which are very difficult right now, but we are going to bring some down. It is the largest mainland reserve of natural gas we are going to have for generations to come.

What does it mean that we do nothing about it? Listen well, we are not going to stop using it. Remember how much crude oil we import. It will be 5, 6, 10 years and what will we be importing? The Senator knows the answer: Natural gas. Where from? Not from our seashores 100 miles away out there in the ocean where our natural gas is. From thousands of miles away in big, gigantic boats. They are going to come across the ocean and come over to America. And do what? Pump it into these States you are talking about. Because right here on this floor, if the Senator from New Mexico and two Senators from Louisiana were to say, just simple: Those States that have moratoriums off their shores where we can't drill, if they would like to let us drill, let's let them say yes and then let's pay them a little more royalties than we have been paying. Because right now we get no royalties. Give them more than we are paying now and let them decide whether they would like to or not.

Guess what would happen. I have already been told. The bill, if it passed, will die. First of all, it will not pass. Because for all this language around here—flexibility, let's do what we can, let's use every avenue for exploration—that is not true. That is not true. Because don't touch this one I have just talked about. Right?

Ms. LANDRIEU. Right.

Mr. DOMENICI. Your State has. They have done it, along with Texas and a couple of other States. Frankly, before we start giving other States resources, I wish they would start making decisions and we would start making them so other States would join. We have to help your State. We have to help you because you are taking the burden, and we are going to try to do something about that.

I don't know what we can do because we are stymied by a few things that are intangible, that we don't control—fiscal policy and budget policy and the like. But I want to say it doesn't do very much good to adopt resolutions on this floor and proposals such as are pending here from Senator CANTWELL—it doesn't do a bit of good to say these are our goals, let's do them. Flexibility.

We don't need that kind of bill if we do what we know we should do. We have not built a nuclear powerplant in two decades plus, while the rest of the world built them. We can talk all we want about why did we use so much natural gas in the powerplants of America. We know why. We didn't want to use anything else. Right? So we used natural gas, even some from offshore, some from your State. We piped it all the way over and burned it in powerplants as though it were coming out and would be here forever. It starts running out, right? So we are going to import it pretty soon.

That is the problem. We have been doing that. It is the problem in this bill. We are 90 percent where we ought to go, but the big thing is no action with reference to the largest asset we have toward independence, which is natural gas and crude oil hundreds of miles—not a mile—offshore.

There is one thing we are asking in this bill: Let's inventory it. Right? We voted in our committee. It was a hard vote. Hard? Just ask somebody to go out and tell America what we own. That natural gas you have been talking about, how much is there? You don't have to disturb anything anymore.

We have been talking about high tech. You don't drill holes to find out what is there. We do it by technology, by looking, by checking, by a new kind of geophysical equipment. Should not we tell America how much is there?

You watch, there will be a motion to strike that here on the floor. You and I will be here saying, What is the matter with that. But we are apt to lose that. Yet we are talking about some ''pie in the sky,'' let's set a goal 30 years from now to be 40 percent less dependent upon crude oil and we will have all the flexibility in the world. We don't need flexibility of any statute. We need the flexibility of Americans deciding that we have to do what you said.

If we have a source of energy, we have to produce it. Do not think we are producing ourselves out of existence. This bill conserves more than any piece of legislation will ever ask Americans to conserve. But we can't conserve our way out of this dilemma either, right?

Ms. LANDRIEU. Right.

Mr. DOMENICI. We could close up the wells offshore in Louisiana and say, ''Thank you.'' Of course not. We need more—and conservation. But I thought, since you raised the subject of offshore, we ought to tell the Senate, tell the few people listening, where the real value in America is, that we refuse. We are like ostriches when it comes to offshore.

People say, it is so pretty here, we don't want to touch it. What about 100 miles out from that shore? You cannot even see it. And people around here are crying that you will hurt their States. You could put any limitation you would like that is credible and let's go beyond that and try to do something with this very important asset—this asset field that is ours.

I thank the Senator for her comments and thank her for yielding.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I thank the chairman, the distinguished Senator from New Mexico, because he is absolutely correct. I share his frustration. All I can say is as we proceed, we will continue to talk about these issues and educate the American people. People are afraid. They tend to be afraid if they are not sure of the facts. Sometimes people get the facts all confused.

But as I hope people understand, as I keep speaking the truth on this and people understand there are ways you can do this drilling, particularly for natural gas, that are safe for the environment, that meet every environmental standard we have today, and actually meet the clean air standards set out in our own act, we can most certainly explore these opportunities and continue to work on this bill. I thank the Senator for his comments, for his interest and his knowledge of the subject. I can only say I will continue to try to tell the story, and as the American people learn more about it, perhaps some of the fear will dissipate, reason will prevail, and we can begin to understand that here at home we have places on our shores and off our shores that we can tap into and minimize our dependency on foreign oil and foreign gas.

For the short term, this bill, and with the support of most of these Senators, will begin importing natural gas. We have policies in this bill to allow that to happen. It is quite ironic we are setting out in a bill to import more natural gas, and we will not take opportunities to drill for more on our shores. Again, this is a work in progress.

Let me share another part of the story that is not just about energy production. It is the great contribution our coast makes to Louisiana. There is the gold coast, the rocky coast, the cliff coast. We are the working coast. We are proud of it. We are the largest and most productive expanse of coastal wetlands in North America. It is the seventh largest delta on Earth. The Mississippi River drains two-thirds of the United States. As I said, it is one of the most productive environments in America.

In addition to the energy production I talked about which is right off this shore—and we have 20,000 miles of pipeline that can wrap around the country 10 times, 2,000 miles each way, miles of pipeline that send oil and gas to Chicago, California and to Washington and New York—in addition to the energy we produce for the Nation, through this Mississippi River, we drain the mountains in the West and all throughout the Nation; we also have a great nursery for one of the greatest flyways in the world for millions of waterfowl and migratory songbirds.

It also is a nursery for the Gulf of Mexico. Most of the seafood in the Gulf of Mexico is produced because this marsh does not exist anywhere else in the coastal United States. Again, it is an unusually large delta created by the Mississippi River. It is unique.

In addition to the energy contributions this delta makes, in addition to the drainage we contribute by our location for the Nation, in addition to the great flyways for migratory birds that this provides, and the nursery for all the gulf coast fish and species, it also serves as a protection for the two million people that live below I–10. This is the main interstate that runs in the southern part of the United States. It goes all the way through Mississippi, to Florida, and all the way through Texas and west. This I–12/I–10 corridor is one of the busiest in the Nation for many reasons. It is a great north-south trade Route.

Below this interstate, basically two million people live in Louisiana. As the map shows, this land is all marsh and low-lying wetlands. The people that live here are in some jeopardy. They are in some danger if this marsh would erode and go away as storms—whether they are hurricanes, floods, or rising tides—continue to pound our shore. That, unfortunately, is exactly what is happening today.

Yet this wetland that supplies all of this energy, seafood and other environmental benefits to the Nation, we are losing a football field every 30 minutes. We are losing 25,000 square miles every year. In the last 50 years, we have lost the size of the State of Rhode Island.

The red on this map indicates a loss of wetland. This is not caused by oil and gas and by fisheries. It is exacerbated by pipeline construction and some exploration, but it is caused primarily by the channelization of the Mississippi River. This river, for all the things I have said it is used for, you could argue the most important thing it is used for, for the Nation, is the commerce—500 tons of cargo, the largest port system in the world. When my friends from the Midwest—whether it is Senator HARKIN, Senator CONRAD, or

Senator DORGAN and others—want to get grain and corn out of the States they represent, there is not a whole lot of ways to get it out except by barge. It comes down the Mississippi River.

We are happy for the trade and the traffic. But this river was levied to keep the water in, to create this major port system for the Nation, and as a result, over decades, the river cannot overflow itself, and it then cannot replenish the marsh. That is what is causing the staggering loss of these wetlands. Then, on top of that—which is probably 85 percent of the loss of wetlands, say our scientists who have been studying this for many years, the last two decades in particular—when the oil and gas industry came in and some canals had to be put in for the drilling, it exacerbated it by allowing the saltwater from the Gulf of Mexico to come into this water. We call it brackish. It is part salt and part fresh. It comes into the marsh and kills the marsh grass. The salt is toxic to that particular marsh grass. The marsh grass fades away, and before you know it, you are in open water.

I have friends that have fished down here for years and old timers I talk to. It is getting scary because it is not even people that are that old any more who are saying: When I was a kid, you could stand right here in Terrebonne Bay and look out for miles and see land. I took my little boy down there last week, the same place I used to fish when I was a kid, and there is no land left.

Senator, what is happening? Where is it going? It is eroding. I have been here for 8 years trying to get this Congress—Senator Breaux joined me, Senator VITTER now joins this effort—to try to get this Senate and this Congress to understand that this delta is not only precious to Louisiana—it is not even Louisiana's wetlands, it is America's wetlands—it deserves our attention.

Since we contribute so much toward waterborne commerce, so much to the energy infrastructure and independence of this Nation, we serve as a nursery for the fisheries industry, for the whole gulf coast of Mexico, we serve as a flyway for migratory birds which support a whole emerging and growing ecotourism industry that affects everyone in a positive way, surely we can get a few little dollars to help us save our coast.

We are only one hurricane away. We had a terrible season last season. We had five or six major storms. Luckily, they did not hit directly. Unfortunately, our friends in Mississippi and Mobile were hit. None of us along the gulf coast like to get hit. We are in great sympathy and empathy with each other because we know what a major hurricane will do. My people are sitting ducks. It is getting worse and worse. We can save our coast. But we need to use some of the moneys we can get to invest and to do this and we can make progress.

The Senator from Washington would like to wrap up on her amendment, and so let me conclude in a few moments. I thank the Senator for her courtesy and time.

This is a very precious wetland to Louisiana and to America. It is something that can be saved, must be saved and, if saved, cannot only contribute so much to Louisiana but to the Nation.

This issue is not as clearcut as some would like to believe. As I said, I like some parts of the amendment of the Senator from Washington. She has been a tremendous contributor on the Energy bill and a tremendous voice for conservation. What I do like about her amendment is its flexibility. What I do like about her amendment is the opportunity to produce more domestically so we do not have to get it from somebody else, particularly a somebody who does not share our values, who does not have America's best interests at heart. So I agree with that approach. Again, it may be too aggressive for us. But the Senate will decide if that is the case.

But I want to say from a State that is producing—and we are going to continue to produce; we are happy to produce—there are some coastal impacts associated with it. But even if we were not doing any production off the coast of Louisiana, this loss of wetlands would still be occurring because of the channelization of the Mississippi River done by the Corps of Engineers, at our request, on behalf of the Nation. It is time we get some help and some support for fixing this wetland.

I thank the Senator for her patience and her courtesies, and I wish her the best of luck as we continue to work on our bill.

The PRESIDING OFFICER. The Senator from Washington.

The Chair would advise the Senator from Washington that her last unanimous consent request for a submission was not made formally. If she would like to resubmit that request at this time, the Chair would take it. It was the last piece of information you submitted.

Ms. CANTWELL. Mr. President, I ask unanimous consent that a letter from Set America Free be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SET AMERICA FREE

For decades, the goal of reducing the Nation's dependence upon foreign energy sources has been a matter on which virtually all Americans could agree. Unfortunately, differences about how best to accomplish that goal, with what means, how rapidly and at what cost to taxpayers and consumers have, to date, precluded the sort of progress that might have been expected before now.

Today, we can no longer afford to allow such differences to postpone urgent action on national energy independence. After all, we now confront what might be called a ''perfect storm'' of strategic, economic and environmental conditions that, properly understood, demand that we affect over the next four years a dramatic reduction in the quantities of oil imported from unstable and hostile regions of the world.

America consumes a quarter of the world's oil supply while holding a mere 3% of global oil reserves. It is therefore forced to import over 60% of its oil, and this dependency is growing. Since most of the world's oil is controlled by countries that are unstable or at odds with the United States this dependency is a matter of national security.

At the strategic level, it is dangerous to be buying billions of dollars worth of oil from nations that are sponsors of or allied with radical Islamists who foment hatred against the United States. The petrodollars we provide such nations contribute materially to the terrorist threats we face. In time of war, it is imperative that our national expenditures on energy be redirected away from those who use them against us.

Even if the underwriting of terror were not such a concern, our present dependency creates unacceptable vulnerabilities. In Iraq and Saudi Arabia, America's enemies have demonstrated that they can advance their strategic objective of inflicting damage on the United States, its interests and economy simply by attacking critical overseas oil infrastructures and personnel. These targets are readily found not only in the Mideast but in other regions to which Islamists have ready access (e.g., the Caspian Basin and Africa). To date, such attacks have been relatively minor and their damage easily repaired. Over time, they are sure to become more sophisticated and their destructive effects will be far more difficult, costly and time-consuming to undo.

Another strategic factor is China's burgeoning demand for oil. Last year, China's oil imports were up 30% from the previous year, making it the world's No. 2 petroleum user after the United States. The bipartisan, congressionally mandated U.S.-China Economic and Security Review Commission reported that: ''China's large and rapidly growing demand for oil is putting pressure on global oil supplies. This pressure is likely to increase in the future, with serious implications for U.S. oil prices and supplies.''

Oil dependence has considerable economic implications. Shrinking supply and rising demand translate into higher costs. Both American consumers and the U.S. economy are already suffering from the cumulative effect of recent increases in gas prices. Even now, fully one-quarter of the U.S. trade deficit is associated with oil imports. By some estimates, we lose 27,000 jobs for every billion dollars of additional oil imports. Serious domestic and global economic dislocation would almost certainly attend still-higher costs for imported petroleum and/or disruption of supply.

Finally, environmental considerations argue for action to reduce imports of foreign oil. While experts and policy-makers disagree about the contribution the burning of fossil fuels is making to the planet's temperatures, it is certainly desirable to find ways to obtain energy while minimizing the production of greenhouse gases and other pollutants.

The combined effects or this ''perfect storm'' require concerted action, at last, aimed at reducing the Nation's reliance on imported oil from hostile or unstable sources and the world's dependence on oil at large. Fortunately, with appropriate vision and leadership, we can make major strides in this direction by exploiting currently available technologies and infrastructures to greatly diminish oil consumption in the transportation sector, which accounts for two thirds of our oil consumption.

The attached Blueprint for Energy Security: ''Set America Free'' spells out practical ways in which real progress on ''fuel choice'' can be made over the next four years and beyond. To be sure, full market transformation

will take a longer time. In the case of the transportation sector, it may require 15–20 years. That is why it is imperative to begin the process without delay.

We call upon America's leaders to pledge to adopt this Blueprint, and embark, along with our democratic allies, on a multilateral initiative to encourage reduced dependence on petroleum. In so doing, they can reasonably promise to: deny adversaries the wherewithal they use to harm us; protect our quality of life and economy against the effects of cuts in foreign energy supplies and rising costs; and reduce by as much as 50% emissions of undesirable pollutants. In light of the ''perfect storm'' now at hand, we simply can afford to do no less.

SIGNATORIES

Gary L. Bauer, President, American Values; Milton Copulos, President, National Defense Council Foundation; Congressman Eliot Engel; Frank Gaffney, President, Center for Security Policy; Bracken Hendricks, Executive director, Apollo Alliance; Bill Holmberg, American Council on Renewable Energy; Anne Korin, Co-Director, Institute for the Analysis of Global Security (IAGS); Deron Lovaas, Natural Resources Defense Council (NRDC); Gal Luft, Co-Director, Institute for the Analysis of Global Security (IAGS); Cliff May, President, Foundation for the Defense of Democracies; Robert C. McFarlane, Former National Security Advisor; Daniel Pipes, Director, Middle East Forum; Professor Richard Smalley, Nobel Laureate Chemistry; Admiral James D. Watkins, former Secretary of Energy; R. James Woolsey, Co-Chairman, Committee on the Present Danger; and Meyrav Wurmser, Hudson Institute.

A BLUEPRINT FOR U.S. ENERGY SECURITY

Introduction

Historically, the United States has pursued a three-pronged strategy for minimizing the vulnerabilities associated with its dependency on oil from unstable and/or hostile nations: diversifying sources of oil, managing inventory in a strategic petroleum reserve and increasing the efficiency of the transportation sector's energy consumption. In recent years, the focus has been principally on finding new and larger sources of petroleum globally.

Rapidly growing worldwide demand for oil, however, has had the effect of largely neutralizing this initiative, depleting existing reserves faster than new, economically exploitable deposits are being brought on line. Under these circumstances, diversification among such sources is but a stop-gap solution that can, at best, have a temporary effect on oil supply and, hence, on national security. Conservation can help, but with oil consumption expected to grow by 60% over the next 25 years, conservation alone will not be a sufficient solution.

The 'Set America Free' Project

Long-term security and economic prosperity requires the creation of a fourth pillar—technological transformation of the transportation sector through what might be called ''fuel choice.'' By leading a multinational effort rooted in the following principles, the United States can immediately begin to introduce a global economy based on next-generation fuels and vehicles that can utilize them:

Fuel diversification: Today, consumers can choose among various octanes of gasoline, which accounts for 45% of U.S. oil consumption, or diesel, which accounts for almost another fifth. To these choices can and should promptly be added other fuels that are domestically produced, where possible from waste products, and that are clean and affordable.

Real world solutions: We have no time to wait for commercialization of immature technologies. The United States should implement technologies that exist today and are ready for widespread use.

Using existing infrastructure: The focus should be on utilizing competitive technologies that do not require prohibitive or, if possible, even significant investment in changing our transportation sector's infrastructure. Instead, ''fuel choice'' should permit the maximum possible use of the existing refueling and automotive infrastructure.

Domestic resource utilization: The United States is no longer rich in oil or natural gas. It has, however, a wealth of other energy sources from which transportation fuel can be safely, affordably and cleanly generated. Among them: hundreds of years worth of coal reserves, 25% of the world's total (especially promising with Integrated Gasification and Combined Cycle technologies); billions of tons a year of biomass, and further billions of tons of agricultural and municipal waste. Vehicles that meet consumer needs (e.g., ''plug-in'' hybrids), can also tap America's electrical grid to supply energy for transportation, making more efficient use of such clean sources of electricity as solar, wind, geothermal, hydroelectric and nuclear power.

Environmentally sensible choices: The technologies adopted should improve public safety and respond to the public's environmental and health concerns.

KEY ELEMENTS OF THE 'SET AMERICA FREE' PROJECT

Vehicles

Hybrid electric vehicles: There are already thousands of vehicles on America's roads that combine hybrid engines powered in an integrated fashion by liquid fuel-powered motors and battery-powered ones. Such vehicles increase gas-consumption efficiency by 30–40%.

Ultralight materials: At least two-thirds of fuel use by a typical consumer vehicle is caused by its weight. Thanks to advances in both metals and plastics, ultralight vehicles can be affordably manufactured with today's technologies and can roughly halve fuel consumption without compromising safety, performance or cost effectiveness.

''Plug-in'' hybrid electric vehicles: Plug-in hybrid electric vehicles are also powered by a combination of electricity and liquid fuel. Unlike standard hybrids, however, plug-ins draw charge not only from the engine and captured braking energy, but also directly from the electrical grid by being plugged into standard electric outlets when not in use. Plug-in hybrids have liquid fuel tanks and internal combustion engines, so they do not face the range limitation posed by electric-only cars. Since fifty-percent of cars on the road in the United States are driven 20 miles a day or less, a plug-in with a 20-mile range battery would reduce fuel consumption by, on average, 85%. Plug-in hybrid electric vehicles can reach fuel economy levels of 100 miles per gallon of gasoline consumed.

Flexible fuel vehicles (FFVs): FFVs are designed to bum on alcohol, gasoline, or any mixture of the two. About four million FFV's have been manufactured since 1996. The only difference between a conventional car and a flexible fuel vehicle is that the latter is equipped with a different control chip and some different fittings in the fuel line to accommodate the characteristics of alcohol. The marginal additional cost associated with such FFV-associated changes is currently under $100 per vehicle. That cost would be reduced further as volume of FFVs increases, particularly if flexible fuel designs were to become the industry standard.

Flexible fuel/plug-in hybrid electric vehicles: If the two technologies are combined, such vehicles can be powered by blends of alcohol fuels, gasoline, and electricity. If a plug-in vehicle is also a FFV fueled with 80% alcohol and 20% gasoline, fuel economy could reach 500 miles per gallon of gasoline.

If by 2025, all cars on the road are hybrids and half are plug-in hybrid vehicles, U.S. oil imports would drop by 8 million barrels per day (mbd). Today, the United States imports 10 mbd and it is projected to import almost 20 mbd by 2025. If all of these cars were also flexible fuel vehicles, U.S. oil imports would drop by as much as 12 mbd.

Fuels

Fuel additives: Fuel additives can enhance combustion efficiency by up to 25%. They can be blended into gasoline, diesel and bunker fuel.

Electricity as a fuel: Less than 2% of U.S. electricity is generated from oil, so using electricity as a transportation fuel would greatly reduce dependence on imported petroleum. Plug-in hybrid vehicles would be charged at night in home garages—a time-interval during which electric utilities have significant excess capacity. The Electric Power Research Institute estimates that up to 30% of market penetration for plug-in hybrid electric vehicles with 20-mile electric range can be achieved without a need to install additional electricity-generating capacity.

Alcohol fuels: ethanol, methanol and other blends:

Ethanol (also known as grain alcohol) is currently produced in the U.S. from corn. The industry currently has a capacity of 3.3 billion gallons a year and has increased on the average of 25% per year over the past three years. Upping production would be achieved by continuing to advance the corn-based ethanol industry and by commercializing the production of ethanol from biomass waste and dedicated energy crops. P–Series fuel (approved by the Department of Energy in 1999) is a more energy-efficient blend of ethanol, natural gas liquids and ether made from biomass waste.

Methanol (also known as wood alcohol) is today for the most part produced from natural gas. Expanding domestic production can be achieved by producing methanol from coal, a resource with which the U.S. is abundantly endowed. The commercial feasibility of coal-to-methanol technology was demonstrated as part of the DOE's ''clean coal'' technology effort. Currently, methanol is being cleanly produced from coal for under 50 cents a gallon.

It only costs about $60,000 to add a fuel pump that serves one of the above fuels to an existing refueling station.

Non-oil based diesel: Biodiesel is commercially produced from soybean and other vegetable oils. Diesel can also be made from waste products such as tires and animal by-products, and is currently commercially produced from turkey offal. Diesel is also commercially produced from coal.

Policy Recommendations

Provide incentives to auto manufacturers to produce and consumers to purchase, hybrid vehicles, plug-in hybrid electric vehicles and FFVs across all vehicle models.

Provide incentives for auto manufacturers to increase fuel efficiency of existing, non-FFV auto models.

Conduct extensive testing of next-generation fuels across the vehicle spectrum to meet auto warranty and EPA emission standards.

Mandate substantial incorporation of plug-ins and FFVs into federal, state, municipal and covered fleets.

Provide investment tax incentives for corporate fleets and taxi fleets to switch to plug-ins, hybrids and FFVs.

Encourage gasoline distributors to blend combustion enhancers into the fuel.

Provide incentives for existing fueling stations to install pumps that serve all liquid fuels that can be used in the existing transportation infrastructure, and mandate that all new gas stations be so equipped.

Provide incentives to enable new players, such as utilities, to enter the transportation fuel market, and for the development of environmentally sound exploitation of non-traditional petroleum deposits from stable areas (such as Canadian tar sands).

Provide incentives for the construction of plants that generate liquid transportation fuels from domestic energy resources, particularly from waste, that can be used in the existing infrastructure.

Allocate funds for commercial scale demonstration plants that produce next-generation transportation fuels, particularly from waste products.

Implement federal, state, and local policies to encourage mass transit and reduce vehicle-miles traveled.

Work with other oil-consuming countries towards distribution of the above-mentioned technologies and overall reduction of reliance on petroleum, particularly from hostile and potentially unstable regions of the world.

A NEW NATIONAL PROJECT

In 1942, President Roosevelt launched the Manhattan Project to build an atomic weapon to be ready by 1945 because of threats to America and to explore the future of nuclear fission. The cost in today's prices was $20 billion. The outcome was an end to the war with Japan, and the beginning of a wide new array of nuclear-based technologies in energy, medical treatment, and other fields.

In 1962, President Kennedy launched the Man to the Moon Project to be achieved by 1969 because of mounting threats to U.S. and international security posed by Soviet space-dominance and to explore outer space. The cost of the Apollo program in today's prices would be well over $100 billion. The outcome was an extraordinary strategic and technological success for the United States. It engendered a wide array of spin-offs that improved virtually every aspect of modern life, including but not limited to transportation, communications, health care, medical treatment, food production and other fields.

The security of the United States, and the world, is no less threatened by oil supply disruptions, price instabilities and shortages. It is imperative that America provide needed leadership by immediately beginning to dramatically reduce its dependence on imported oil. This can be done by embracing the concepts outlined above with a focus on fuel choice, combined with concerted efforts at improving energy efficiency and the increased availability of energy from renewable sources.

The estimated cost of the 'Set America Free' plan over the next 4 years is $12 billion. This would be applied in the following way: $2 billion for automotive manufacturers to cover one-half the costs of building FFV-capability into their new production cars (i.e., roughly 40 million cars at $50 per unit); $1 billion to pay for at least one out of every four existing gas stations to add at least one pump to supply alcohol fuels (an estimated incentive of $20,000 per pump, new pumps costing approximately $60,000 per unit); $2 billion in consumer tax incentives to procure hybrid cars; $2 billion for automotive manufacturers to commercialize plug-in hybrid electric vehicles; $3 billion to construct commercial-scale demonstration plants to produce non-petroleum based liquid fuels (utilizing public-private cost-sharing partnerships to build roughly 25 plants in order to demonstrate the feasibility of various approaches to perform efficiently at full-scale production); and $2 billion to continue work on commercializing fuel cell technology.

Since no major, new scientific advances are necessary to launch this program, such funds can be applied towards increasing the efficiencies of the involved processes. The resulting return-on-investment—in terms of enhanced energy and national security, economic growth, quality of life and environmental protection—should more than pay for the seed money required.

Ms. CANTWELL. Thank you, Mr. President.

Mr. President, I thank the Senator from Louisiana for her comments and for her focus on the fact that the amendment is basically agnostic about where we get future supply. You can get it from more domestic production of oil or natural gas. I have been a big supporter of more natural gas production, particularly from Alaska, because I think it is so important to our country moving ahead.

I appreciate her chart showing what States are involved in energy production because we in Washington State are getting 70 percent of our electricity from a hydro system. She mentioned, yes, you can get energy from damming rivers. Well, that is exactly what we have done in the State of Washington and many parts of the Northwest. It has cost our environment, but yet we get 70 percent of our power from that.

We have one nuclear powerplant in our State. We have one coal plant in our State. We have a few natural gas-fired plants in our State. We have four major refineries that take crude oil and convert it to petroleum products, such as gasoline, jet fuel, diesel, and asphalt. So we in Washington State are involved in all those activities.

The fact is, we do not have significant oil and natural gas off the coast of Washington. I know that is something that is being discussed. But the Minerals Management Service Report that was conducted basically says there is not a lot of natural gas off the coast of Washington. So I am not in the same position as the Senator from Louisiana.

I think you have to take into consideration in this debate what some of my staff call the ''accidents of geology;'' that is, that Saudi Arabia happens to sit on 25 percent of the world's oil reserves, and we in the United States only sit on 3 percent. That is a fact of geology.

So the fact that Louisiana has oil and gas and Washington does not is another fact of geology. But I tell you that we do play our role in Washington State. We help keep the lights on in California. We were forced to do so by emergency order by the U.S. Government during a drought, at a cost to ratepayers in Washington State. So we do play our part in providing energy supplies around the region.

But this is an issue about regional diversity and about getting off our over-dependence on foreign oil. I think the Senator correctly articulated what this amendment does; and that is, it basically sets a goal and says it is most important to get off the foreign dependence, to start reducing it. I appreciate that because she came up with the original language and I think is concerned that we do set goals. So I appreciate her comments.

I would like to add to the record, if I could—I know my colleagues from Colorado and Illinois are on the floor and want to speak. But we have had questions about whether we can get a supply of biofuels. I know a lot of my Midwestern colleagues believe in the biofuel section of this bill.

Mr. President, I ask unanimous consent to have printed in the RECORD the Executive Summary of the USDA and Department of Energy report entitled ''Biomass as Feedstock for a Bioenergy and Bioproducts Industry: The Technical Feasibility of a Billion-Ton Annual Supply.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BIOMASS AS FEEDSTOCK FOR A BIOENERGY AND BIOPRODUCTS INDUSTRY: THE TECHNICAL FEASIBILITY OF A BILLION-TON ANNUAL SUPPLY

EXECUTIVE SUMMARY

The U.S. Department of Energy (DOE) and the U.S. Department of Agriculture (USDA) are both strongly committed to expanding the role of biomass as an energy source. In particular, they support biomass fuels and products as a way to reduce the need for oil and gas imports; to support the growth of agriculture, forestry, and rural economies; and to foster major new domestic industries—biorefineries—making a variety of fuels, chemicals, and other products. As part of this effort, the Biomass R&D Technical Advisory Committee, a panel established by the Congress to guide the future direction of federally funded biomass R&D, envisioned a 30 percent replacement of the current U.S. petroleum consumption with biofuels by 2030.

Biomass—all plant and plant-derived materials including animal manure, not just starch, sugar, oil crops already used for food and energy—has great potential to provide renewable energy for America's future. Biomass recently surpassed hydropower as the largest domestic source of renewable energy and currently provides over 3 percent of the total energy consumption in the United States. In addition to the many benefits common to renewable energy, biomass is particularly attractive because it is the only current renewable source of liquid transportation fuel. This, of course, makes it invaluable in reducing oil imports—one of our most pressing energy needs. A key question, however, is how large a role could biomass play in responding to the nation's energy demands. Assuming that economic and financial policies and advances in conversion technologies make biomass fuels and products more economically viable, could the biorefinery industry be large enough to have a significant impact on energy supply and oil imports? Any and all contributions are certainly needed, but would the biomass potential be sufficiently large to justify the necessary capital replacements in the fuels and automobile sectors?

The purpose of this report is to determine whether the land resources of the United States are capable of producing a sustainable supply of biomass sufficient to displace 30 percent or more of the country's present petroleum consumption—the goal set by the

Advisory Committee in their vision for biomass technologies. Accomplishing this goal would require approximately 1 billion dry tons of biomass feedstock per year.

The short answer to the question of whether that much biomass feedstock can be produced is yes. Looking at just forestland and agricultural land, the two largest potential biomass sources, this study found over 1.3 billion dry tons per year of biomass potential (Figure 1)—enough to produce biofuels to meet more than one-third of the current demand for transportation fuels. The full resource potential could be available roughly around mid–21st century when large-scale bioenergy and biorefinery industries are likely to exist. This annual potential is based on a more than seven-fold increase in production from the amount of biomass currently consumed for bioenergy and biobased products. About 368 million dry tons of sustainably removable biomass could be produced on forestlands, and about 998 million dry tons could come from agricultural lands.

Forestlands in the contiguous United States can produce 368 million dry tons annually. This projection includes 52 million dry tons of fuelwood harvested from forests, 145 million dry tons of residues from wood processing mills and pulp and paper mills, 47 million dry tons of urban wood residues including construction and demolition debris, 64 million dry tons of residues from logging and site clearing operations, and 60 million dry tons of biomass from fuel treatment operations to reduce fire hazards. All of these forest resources are sustainably available on an annual basis. For estimating the residue tonnage from logging and site clearing operations and fuel treatment thinnings, a number of important assumptions were made: all forestland areas not currently accessible by roads were excluded; all environmentally sensitive areas were excluded; equipment recovery limitations were considered; and recoverable biomass was allocated into two utilization groups—conventional forest products and biomass for bioenergy and biobased products.

From agricultural lands, the United States can produce nearly 1 billion dry tons of biomass annually and still continue to meet food, feed, and export demands. This projection includes 428 million dry tons of annual crop residues, 377 million dry tons of perennial crops, 87 million dry tons of grains used for biofuels, and 106 million dry tons of animal manures, process residues, and other miscellaneous feedstocks. Important assumptions that were made include the following: yields of corn, wheat, and other small grains were increased by 50 percent; the residue-to-grain ratio for soybeans was increased to 2:1; harvest technology was capable of recovering 75 percent of annual crop residues (when removal is sustainable); all cropland was managed with no-till methods; 55 million acres of cropland, idle cropland, and cropland pasture were dedicated to the production of perennial bioenergy crops; all manure in excess of that which can be applied on-farm for soil improvement under anticipated EPA restrictions was used for biofuel; and all other available residues were utilized.

The biomass resource potential identified in this report can be produced with relatively modest changes in land use, and agricultural and forestry practices. This potential, however, should not be thought of as an upper limit. It is just one scenario based on a set of reasonable assumptions. Scientists in the Departments of Energy and Agriculture will explore more advanced scenarios that could further increase the amount of biomass available for bioenergy and biobased products.

Ms. CANTWELL. The reason I am asking to do that is because this report, which was done by the Oak Ridge National Laboratory, the Tennessee research facility that is part of our national lab system, has said we currently have enough forestland and agriculture land in our country to produce biofuels to meet more than one-third of our current transportation demand. We are already doing research at these labs. They are already calculating the numbers. They are already saying we have enough forestland and timberland in our country to produce one-third of our current demand for transportation fuels. So I think this report is very telling that we can and are on our way. It is a matter of us setting the goal.

I know my colleagues talked earlier a lot about CAFE standards. One of the charts that was presented was supposedly information from the Energy Information Administration about CAFE standards. The Energy Information Administration does not have any idea where those numbers came from, and they understand this amendment does not say anything about CAFE standards. It says basically we ought to set a national goal.

It is important to set the national goal to get off our overdependence of foreign oil because this is who owns the foreign oil. These are the state-owned facilities. These are the countries: Saudi Arabia, Iran, Iraq, Kuwait, Venezuela, Libya. These are the places that have the majority of the world's oil reserves. So our policies for the future are going to be subject to factors involving these countries, so long as we are so dependent on foreign oil.

Now, it is in our economic and security interests to diversify. I think the underlying bill gives us lots of tools to do that, but it does not set a goal to reduce the amount we are dependent on foreign oil.

My amendment would say, let's reduce the amount so that in future years we actually have a reduction—not the 58 percent we are importing today, and not the 68 percent of foreign fuel we are going to import in 25 years, but actually reduce that down to 56 percent so that the trend line is going in the other direction. Let's become less dependent on foreign oil than we are today. That is the goal of my amendment.

I appreciate that my colleagues from Colorado and Illinois are also here to speak on that, so I yield to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, at the outset of my statement on this energy legislation, I want to provide my laudatory comments to the chairman of the committee, Senator DOMENICI, and the ranking member, JEFF BINGAMAN, for their great work in pulling together what is a great piece of legislation. I also want to say thank you to Alex Flint, Lisa Epifani, Sam Fowler, and Bob Simon for their good work as staff members on the committee.

I believe the Energy legislation is a very good first step, and I think the bipartisan nature in which that committee considered the legislation is a good template for other work this Senate Chamber engages in. I believe the keystones of energy conservation, renewable energy, new technologies, and balanced development are all very important parts of this legislation. It is my hope this Senate and the House of Representatives are able to deliver energy legislation to the President for his signature in the near future.

I will speak more broadly about the Energy bill and its importance to America because I do think it is one of the two most important things we are working on on behalf of our Nation today.

I believe the energy challenge we face in America and the health care challenge that is bankrupting America's families and businesses are the two most important things we could be working on as a Senate. But today, and for at least the week, perhaps several weeks ahead, Senators DOMENICI and BINGAMAN will lead us through the discussion on what we are going to do with respect to the energy imperative.

I rise this evening to specifically address the amendment that has been offered by the Senator from Washington to establish a goal to reduce by 40 percent the amount of oil the United States is projected to import in 2025. This amendment requests an annual report be completed that provides information about the progress the United States has made in achieving the goal.

When this goal is met, the United States would be positioned to reduce imports by 1.5 million barrels per day compared to 2005 import numbers. Those savings would be equivalent to the amount of oil the United States is currently importing from Saudi Arabia. Section 151 of the Senate Energy bill as written contains an oil savings provision. That provision would direct the President to implement measures sufficient to reduce by 2015 the country's projected demand for oil by 1 million barrels a day.

Assuming that all those savings came from import reductions, the United States would still be importing 14.4 million barrels a day. That is over a million barrels a day more than we import today. It strikes me as odd to be importing more oil and calling it oil savings. It sounds a bit like Washington doublespeak.

We need to work toward real energy independence, not away from it. We need to import less oil, not more. We have to stop putting so much money in the hands of regimes hostile to the United States in the most unstable regions of the world. We have to do everything we can to set America free from our overdependence on foreign oil.

I rise in support of this amendment because it truly represents oil savings. The amendment would reduce our oil imports by 1.5 million barrels per day less than we are importing right now. This is progress. This is the right kind

of vision for America's future, a vision of energy independence, a vision of an America free of foreign oil. These oil savings can be easily achieved if we have the vision and the courage to do it. More use of renewable fuels, more efficient vehicles, and the intent to actually do something are substantial keys to setting America free through this energy legislation.

I urge my colleagues in the Senate to adopt the Cantwell amendment to the energy legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in support of the Cantwell amendment and ask unanimous consent to be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I thank Senator CANTWELL for her leadership on this amendment. It is going to precipitate a debate which shows the difference in outlook between the two political parties. The goal that Senator CANTWELL has spelled out is to reduce America's dependence on foreign oil. She believes that we are capable as a nation, through our innovation, through hard work and bipartisanship, to come up with ways to conserve energy, to find alternative fuels, to find environmentally responsible places to seek new oil sources in the United States; that it is possible for us to lessen dramatically our dependence on foreign oil, 40 percent in the next 20 years. That is her vision.

Does it mean changing the way we live? Slightly. Of course, it does. But it is not too great a sacrifice. Senator CANTWELL's vision looks to an America that is no longer going hat-in-hand to OPEC saying: Please give us your oil. We cannot survive without it. Understanding that at any given moment they can cut off oil supplies and we could watch prices skyrocket as they recently have. That is her vision. It is one I share. It is a vision that challenges America to look forward in a positive way, look forward to change which lessens our dependence on oil-producing countries around the world.

In 1973, we imported 28 percent of the oil we used. Today, we are up to 58 percent. If we don't change our ways in the next 20 years, we will be up to 68 percent. When we are so dependent on foreign oil, we give up our freedom. We allow other governments that provide the oil to tax our economy, tax our businesses, tax our lives. We give up our freedom to those who turn on and off this energy spigot and make a difference.

When I was a little boy, years and years ago, growing up in East St. Louis, IL, I had a great aunt. She was a wonderful lady who, when I knew her, was very old. She used to tell us stories about growing up in her lifetime. It was Aunt Mame. I always thought it was curious, as a little boy, that she never referred to the vehicles in the driveway as cars or automobiles. She always called them machines. I thought, who in the world would call that a machine? She explained to me that in her lifetime, these machines had appeared out of nowhere, taking the place of horses and buggies. Getting into a car, which she called a machine, was a big deal for Aunt Mame. I used to laugh, after I left her, with my cousins and say: Can you believe she calls those machines? It reflected her mindset. To her, the concept of a car would always be something new and foreign.

I listened today while Republican Senators, such as the Senator from Missouri, came to the floor and said they cannot visualize or imagine a different kind of car in the future that would be more fuel efficient. They just can't see it. In fact, the Senator from Missouri, when asked what that car would look like, said it would look like a golf cart. That doesn't demonstrate the same kind of vision of our future.

We hear from the other side that the idea of reducing our dependence on foreign oil is a bad idea. They are wedded to the concept that we will continue to be dependent on foreign oil. The idea of challenging America to come up with more fuel-efficient cars and with other ways to save oil is something they don't believe in. They just don't have confidence that American creativity and ingenuity can rise to that challenge. It is a negative and dismal outlook, and they also believe that American drivers and consumers are so selfish they would never consider giving up their Hummers, or their huge cars, if it meant less dependence on foreign oil.

I see the world a lot differently. This Nation comes together time and again, sending our best and brightest and bravest over to fight in wars, rallying around the war on terrorism after 9/11. We do rise to the challenge. That is what we are all about. The Cantwell amendment lays down that challenge.

In the underlying bill, almost 800 pages long, section 151 states:

> The President shall develop and implement measures to conserve petroleum and end uses throughout the economy of the United States sufficient to reduce total demand for petroleum in the United States by 1 million barrels per day in the amount projected for calendar 2015.

This is not a new provision. It is a good one, but it is not a new one. It was offered by Senator LANDRIEU of Louisiana the last time we had an energy bill. It passed 99 to 1. Only one Senator thought this was a bad idea. Ninety-nine Senators believed reducing our dependence on foreign oil was a good idea. This amendment was an important first step.

But if the United States reached the savings included in this provision of the bill, we would still be importing 14.4 million barrels per day to sustain the economy. That is over 1 million barrels a day more than we import today, allowing America's foreign oil dependence to continue to grow. We can do better. We can slow our growth in demands on foreign oil. We can reduce America's use of foreign oil.

First, we have to agree on a national goal. That is what the Cantwell amendment is all about, a goal that recognizes our national security, our economic prosperity, our environmental integrity, and makes sure that Americans have good jobs. Those are our high priorities. We must agree that sending billions of dollars annually to foreign governments to feed our thirst for energy instead of reinvesting that money in the United States shortchanges our own economy and our future. We must agree that sending our daughters and sons, sisters and brothers, fathers, uncles, mothers, and aunts into regions of the world, whether to establish a national presence or to advance freedom or for the sake of securing our future energy supply can be shortsighted and wrong.

To be drawn into a war to protect a foreign source of oil is to say it is too much to ask someone to change the car they drive, but not too much to ask them to send their son into combat. I, frankly, think that is an easy choice. I believe it is wrong for us to see the world in those terms, that we accept this dependence on foreign oil. That is why I strongly support this amendment.

This amendment seeks to establish a goal to reduce our projected foreign imports by 40 percent over the next 20 years, and 7.6 million barrels a day would be saved. Do you know where that gets us? If we meet that goal in 2025 and reduce foreign imports, we will just begin to reduce our foreign imports overall. Today, the United States imports over 13 million barrels per day of foreign petroleum. That is the 4-month average for this year.

In 2025, after reaching this goal, we will import 11.8 million barrels per day, a decrease of only 1.5 million barrels per day of our current imports.

Energy independence is about reducing imports of foreign oil, not slowing the growth of our dependence or toeing the line. As long as oil remains the sole major fuel source for the American economy, dependence on foreign imports will remain a geologic and economic fact of life.

Last year, I participated in a discussion entitled ''New Energy for America, Jobs, Security and Prosperity for the 21st Century.'' The discussion focused on the need to move America in a direction toward more jobs, security, and prosperity. The speakers included labor leaders, business leaders, lawmakers—all with a different message, but basically saying the same thing: We need to move America in a new direction.

I have been encouraged by new coalitions, such as Set America Free, the Energy Futures Coalition, and the Apollo Alliance, which incorporate unique bedfellows into the same common goals. In a bipartisan nature, these groups have shared resources and

ideas because they share the same values: Put America first. Make America secure and less dependent upon foreign oil.

I appreciate the bipartisan fashion in which Senator DOMENICI and Senator BINGAMAN and the members of the committee crafted this bill, and I hope this amendment becomes a bipartisan amendment.

I want to note there are a couple provisions in the bill that take small steps in the right direction, such as the renewable fuels title and the provision to increase the efficiency of heavy-duty trucks by reducing the use of diesel power during idling. These are all good things. But we can do more.

I will offer an amendment on CAFE standards at a later point. That is not what the Cantwell amendment is about. I have heard the argument that the amendment is a backdoor way to increase CAFE, that that is where the Cantwell amendment is headed. But it is not. It is about setting a goal, without a prescribed recipe, understanding that we all may believe there are different means by which America can best meet this goal. We all understand it must be our goal.

How can we be stronger as a Nation while being dependent upon foreign oil? How can we talk about growing our economy if we have to beg the OPEC cartel for the oil we need? It is a fact of life. If you look at the oil resources that are available around the world, it is pretty obvious. Look at this chart. North America. When you look at 2002, we have about 4 percent of the global reserves when it comes to oil. By 2020, it is going to be 1 percent. The lion's share of the global resources is not in America, it is in the Middle East and North Africa. So even if we use all of the current available resources and can bring them forward in an environmentally sensible way, we could not get close to our energy demands. We are always going to be dependent on some other source from some other part of the world. That is why I think we have to move toward those developments in the use of energy which reduce our dependence.

Also, let me say this about China. You cannot talk about the world economy and ignore China. You don't see China on this list of producers. It happens to have a growing economy that also is dependent on foreign oil. But China gets it and the United States does not. Let's take one example. Fuel efficiency in cars. Today, China has higher fuel efficiency in cars and trucks than the United States. They get it. They understand it. If they are dependent on foreign oil, they are going to put vehicles on the road that are more fuel efficient. The United States does not. Why? It is worth a moment's discussion.

I listened to the Senator from Missouri speak earlier about the automobile industry opposing fuel efficiency, opposing this idea of lessening our dependence on foreign oil. There was a time in my lifetime when American automobile manufacturers led the world—not only in inventing the earliest vehicles, but in developing them, setting the standard for the world. Sadly, that is not the case today. Just a week or so ago, General Motors announced 25,000 employees were being laid off. Last quarter, General Motors lost a billion dollars. When you look at the legacy cost to General Motors, there is a serious concern about whether this former automobile giant can survive. When you also consider the fact that Toyota announced last week that it would raise the prices of cars in the United States so as to allow General Motors to raise its prices and stay in business—think of it, the Japanese automobile manufacturer is going to come to the rescue of General Motors for fear they would go out of business. You wonder why.

How can a country that is so good, with an industry that once led the world, be in such bad shape? I think the answer is fairly clear. Detroit and the automobile manufacturers of our country focus on making more cars this year of the same kind they made last year. They lack the vision to look to the future of what we could do, in terms of making a new generation of automobiles and trucks to serve America's economic and family needs, without sacrificing safety. They think it is an impossible dream. While they sit and puzzle over the future, lamenting the possibility of change, sadly, other automobile manufacturers are doing much more.

My wife and I decided to buy a new car a few months ago. I wanted to buy an American car. We decided we didn't need a big SUV. We joke in our house that if you want to drive a Hummer, you ought to join the Army. We decided to get a modest size car to fit our family needs. We wanted it to be fuel efficient. Do you know what? The choices are pretty limited. There are not many American-made cars that fit the standard. We heard about the Ford Escape hybrid and bought one. It is good, but it is not great. I am glad we are doing a little bit to try to reduce our dependence on gasoline in our family and on oil imports as a Nation. That hybrid was introduced in the market 2 years after the Japanese came out with their car.

At a time when there is overwhelming demand for Japanese hybrid automobiles, Detroit still doesn't get it. They are not building that same type of vehicle to compete. I don't understand it. They seem to always miss the new trend and try to convince us to stick with the old model cars that used to be sold.

One of the aspects about this whole debate is security. In a paper that former CIA Director James Woolsey gave to me at a press conference a day or two ago, he identified six technologies that, with vigorous Government support, could dramatically change the nature of our fuel use in America over the next 20 years. I will not go through the list, but they are things that are already available. So when some Senators come to the floor and say we cannot imagine how we lessen dependence on foreign oil without dramatically tripling the fuel efficiency of cars, they haven't taken the time to do the research. If they did, they would understand there are plenty of technologies available today to reach those goals. ''I am not sure every one of these is going to be implemented,'' Mr. Woolsey advised, but at least it gives a starting point to make the changes.

The right mix and standards and incentives are out there. I believe we can find the right set of financial incentives and standards that meet our goal. There are a lot of cynics. They probably had a lot around when Henry Ford said you don't need a horse to get around. But the fact is we know we can rise to this challenge as a nation.

I fully appreciate that in 10 years we may make technological advances we cannot fathom today. I didn't think I would be driving a hybrid vehicle a few years ago or carrying around 2,300 songs on an IPOD in my pocket. You cannot think small in America. You have to think big. Sadly, the naysayers and negative voices on the other side of the aisle cannot envision America growing with this technology and becoming more fuel efficient. I think there are creative and visionary people on both sides of the aisle. I hope they will support this amendment.

We can test the innovation of America, and I know we can rise to that challenge. We burn 10,000 gallons of oil per second today in the United States—10,000 gallons per second. We use four times more oil than any other Nation, even though we know that the United States contains just 3 percent of the world's proven oil reserves.

Two-thirds of the world reserves are located in the Persian Gulf region. In fact, the Saudi state-run oil company alone has 30 times the reserves of ExxonMobil, the largest American company. Today, nine out of ten reserve-richest companies in the world are owned by foreign governments.

Do you understand how that makes the United States subservient to these governments when it comes to our economic future? They own the oil we need to exist, and unless we start weaning ourselves from this dependence on foreign oil, it will just get worse.

A study published by the Rocky Mountain Institute found that in 2000, oil imports cost $109 billion and comprised 24 percent of that year's goods and services trade deficit. In 2003, that figure rose to $10 billion a month, $120 billion. What could we do with $10 billion fed into the U.S. economy instead of into these oil-rich nations around the world?

On the Web site for the Set America Free Coalition, there is a link called, ''The True Cost of Oil.'' This is often a

sensitive subject. Whenever externalities are calculated into the overall cost, there is often wiggle room for debate. However, on this Web site, Set America Free has a link to the National Defense Council Foundation's summary of the hidden cost of imported oil.

The report finds that the economic impact of U.S. dependence on imported oil includes almost $49 billion in annual defense outlays to maintain the capability to defend the flow of Persian Gulf oil, the equivalent of $1.17 to the price of every gallon of gasoline; the loss of 828,000 jobs in the U.S. economy because we are depending on foreign oil; and the loss of $159 billion in GNP, not to mention $13.4 billion in Federal and State revenues. Total economic penalties from our importation of oil, $297 billion to $304 billion every year. And the voices on the other side objecting to this Cantwell amendment are content to let those figures grow. I think that is just plain wrong.

One final striking figure is the cost of periodic oil shocks the U.S. economy has experienced over the last three decades. They estimate they have cost us $2.2 trillion to $2.5 trillion.

Today, vulnerabilities in oil infrastructure could easily send oil prices skyrocketing.

We all know about terrorism and terrorism in the Middle East. Unstable governments in Iraq and Saudi Arabia can certainly threaten the U.S. supply, not to mention Iran.

Finally, I would like to note that the money we spend annually in the Middle East to feed our oil thirst goes directly to the production of hate literature throughout the region. So today, while American men and women are fighting in Iraq, the U.S. consumers continue to send billions of dollars overseas funneled off to support operations that completely undermine our service men and women overseas.

Can we not see the connection here, that in this same Middle East, where we are sacrificing and have lost 1,700 American lives in combat, our enemies are being fed by our dependence on foreign oil?

We have seen the dramatic surge in Chinese economic growth at a rate of 7 percent a year. This week's U.S. News & World Report cover story is, ''The China Challenge: What the Awakening Giant will Mean for America.'' China is the world's most populated country, with 1.2 billion. In 2003, China overtook Japan as the second largest oil-consuming nation in the world, and projections are that the Chinese demand for oil will double by 2025.

Mr. President, I see that the majority leader is on the floor. He has asked to be recognized. I yield the floor to the majority leader for whatever purpose and then reclaim my time after he is finished.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I apologize for the interruption. A number of people have called asking for the schedule for tonight in terms of voting. We will be voting on the Cantwell amendment sometime tomorrow morning, and we will not have rollcall votes tonight.

I have one unanimous consent request.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: No. 58, David Garman to be Under Secretary of Energy, and Nos. 137, 138, and 139. I further ask unanimous consent that the nominations be confirmed and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

DEPARTMENT OF ENERGY

David Garman, of Virginia, to be Under Secretary of Energy.

UNITED STATES POSTAL SERVICE

Carolyn L. Gallagher, of Texas, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2009.

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2005.

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2014 (Reappointment).

NOMINATION OF BEN S. BERNANKE TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 151.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read the nomination of Ben S. Bernanke, of New Jersey, to be a member of the Council of Economic Advisers.

Mr. BUNNING. Mr. President, I rise today to state my opposition to the nomination Dr. Ben S. Bernanke to be a member of the President's Council of Economic Advisors.

Mr. Bernanke is a member of the Board of Governors of the Federal Reserve, and he has previously come before the Senate Banking Committee. I voted for his nomination in committee and on the Senate floor to become member of the Board of Governors. I supported him based on our conversation in a private meeting we had in my office. As Members of the Senate and those who follow the Senate know, I have had some concerns about the Federal Reserve.

One of my biggest concerns is that the Federal Open Market Committee—FOMC—suffers from group think which seems to have no cure—because it seems to me that no one ever challenges Chairman Alan Greenspan.

I think for the FOMC to function properly, members must be true to their convictions and challenge the chairman. No chairman should be able to dominate without dissent. There must be intellectual sparring so all of the committee members are heard and the FOMC can come up with the best decision for our country. The FOMC needs independent voices.

Governor Bernanke promised me he would be an independent voice. He promised me he would stand up to the chairman if the thought he was wrong or was being rolled. He promised that he would be that independent voice on the FOMC that would challenge the chairman if he thought he was wrong.

Sadly, I have not seen very much evidence of his independence—or anyone else's independence for that matter. I have not seen him ever vote against the chairman. I have not seen him use his bully pulpit to challenge the chairman. As far as I can tell, they have not had a major disagreement. I find it hard to believe that he and Chairman Greenspan think exactly the same about all of these diverse and important opinions within the FOMC.

I As important as I think it is for a member of the FOMC to be independent, it is more important for the head of the President's Council of Economic Advisors—CEA—to be independent. The chairman of the CEA must stand up to the President when he believes the President is wrong. He must challenge him. And based on his performance at the FOMC, I am not convinced that Mr. Bernanke will do that.

Because he has not convinced this Senator that he will be an independent voice, I regretfully cannot support his nomination.

Mr. FRIST. Mr. President, I know of no further debate on this nomination, and we are ready for the Chair to put the question. However, I note for the RECORD that Senator BUNNING is opposed to this nomination and would have voted in the negative. We appreciate him allowing us to go forward and duly note his opposition.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Ben S. Bernanke, of New Jersey, to be a member of the Council of Economic Advisers?

The nomination was confirmed.

Mr. FRIST. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. FRIST. Mr. President, I ask unanimous consent that the President be immediately notified of the Senate's actions and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

Mr. FRIST. Mr. President, I thank the distinguished Senator from Illinois. Let me ask—because I know the Senator from Kansas is going to want to follow the Senator from Illinois—about how long he will be?

Mr. DURBIN. Ten minutes.

Mr. FRIST. Mr. President, I thank the Senator again.

ENERGY POLICY ACT OF 2005—Continued

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I see the Senator from Kansas waiting patiently. I do not want him to sit here and miss the picnic. I will just speak for a few minutes more.

The point I was trying to make when I yielded to the majority leader is there is dramatic growth in the Chinese economy, and with that growth, there will be an increase in their demand for oil. They will be competing with the United States around the world.

We will find the old laws of supply and demand will not work. Increased demand without increasing supply means higher prices. So we will be in competition for this foreign oil, paying more for it, watching our economy strangled by this dependence on foreign oil.

Obviously, there are some who say that is fine, that is the way life is, get ready for it. We do not see it that way. On the Democratic side of the aisle, the Cantwell amendment sets a goal of reducing this dependence on foreign oil by 40 percent over the next 20 years. It is an achievable goal. People who follow this closely will tell you there are variety of ways to achieve it. The measures that can be used, short of changing CAFE standards, which I support personally—but if you do not want to change CAFE standards, there is market growth in hybrid vehicles, industrial, residential, and aviation efficiency, heavy-duty truck efficiency gains, replacement tires—that sounds like a small thing but it turns out to be a large element in increasing fuel efficiency—transportation choices, such as mass transit and growth in biofuels.

All of these are here. The National Commission on Energy Policy has come up with these recommendations and have given us things we can point to, to reduce our dependence on foreign oil.

Some on the other side of the aisle just do not want to concede this point. They are obviously prepared to accept this indefinitely, that our dependence on foreign oil will grow. But how can that make us stronger as a Nation, how can that make us more secure? It moves us in the wrong direction.

There may be some who profit from our dependence on foreign oil, but it is not the American economy, and it is certainly not the American taxpayers, nor the sons and daughters who are serving overseas defending America's interests.

Furthermore, unstable governments, in Iraq, in Saudi Arabia also threaten U.S. supply.

Finally, I would like to note that the money that we spend annually in the Middle East to feed our oil thirst, goes directly to the production of hate literature throughout the region. So today, while American men and women are fighting in Iraq, the U.S. continues to send billions of dollars overseas that are funneled off to support operations that completely undermine our service people's efforts there.

In the past few years we have witnessed China's surging economic growth. China's real gross domestic product is growing at a rate of 7 percent a year. In the U.S. News and World Report this week, the cover story is, ''The China Challenge, What the awakening giant will mean for America.''

China is the world's most populated country with 1.2 billion people.

In 2003, China overtook Japan as the second largest oil consuming nation in the world and projections are that Chinese demand for oil will double by 2025, nearly meeting current U.S. imports. The US News reports notes that China's economy is expected to surpass Japan's by 2020, making it the second largest in the world.

Recent data indicates that the number of automobiles in China has grown 19 percent annually, surpassing Germany with the number of cars they have on their roads. By the year 2010 China is expected to have 90 times more cars than in 1990. Consequently, China could surpass the total number of cars in the U.S. by 2030.

China's oil consumption has grown by 7.5 percent per year reaching a current daily demand of about 6.4 million barrels a day, yet China's oil production is flat at around 3.4 million barrels per day.

Currently, 58 percent of China's oil imports come from the Middle East and it is projected that by 2015, the share of Middle East oil will reach 70 percent.

With projected growth in automobiles, projected oil demand in China could increase to 15 million barrels a day by 2020.

This growth in demand will increase global competition for oil resources, likely to increase, not decrease the price of crude oil.

While China is attempting to diversity its oil interests, like the United States, China recognizes that the world's most substantial oil reserves are in the Middle East.

If we look at this chart, we can clearly see that in 2020, 83 percent of projected global reserves based on current production rates will be in the Middle East. The United States and China will be in very similar positions with regard to domestic oil reserves.

A story last week's Washington Post reported that nationally, daily production of oil and natural gas liquids dropped last year to an average of 7.2 million barrels a day, a 36 percent decrease since peaking in 1970. And at Prudhoe Bay, average daily production last year was about 450,000 barrels a day, a 72 percent drop from its peak, and production is expected to continue to drop.

What does this mean for the U.S.? Our increasing decline in domestic production and growing global demand on Middle East oil supply could have serious implications on foreign policy. A report by the U.S.-China Security Review Commission, a group created by Congress, warned:

> A key driver in China's relations with terrorist-sponsoring governments is its dependence on foreign oil to fuel its economic development. This dependency is expected to increase over the coming decade.

China is already competing with us for world supply, and this competition is—not may—is going to increase.

It is very clear from China's economic growth, with India emerging as well, that the United States, if it continues on the current course, feeding its thirst for energy using foreign oil, will face increasing pressures caused by increasing demand and tightening supply.

Inevitably the production decisions of foreign nations and organizations like OPEC, will determine the price of our energy, and in turn control of our economy and America's national security.

Earlier this year, in April, the price of a barrel of oil rose above $55, today it is hovering around $53. With the increase in crude prices in the spring, gas prices jumped too, increasing 40 or more cents per gallon in many parts of the country since that time last year. While we have witnessed a slow drop in gas prices, they still remain over $2 per gallon in much of the country.

An AP report noted yesterday that oil prices rose yesterday on news that OPEC may increase production quotas, and that oil prices will remain high well into 2006, even if the production ceiling is raised.

In this same report, a group of finance ministers from the Group of Eight industrialized nations, over the weekend, called for greater investment in increased energy efficiency and alternative sources of energy. They noted that sustained high energy prices ''are of significant concern since they hamper global economic growth.''

Not only do high oil prices hamper global economic growth, they hamper America's economic growth.

Back when oil was $43 per barrel, the International Air Transport Association estimated that the airlines would lose $5.5 billion. Yesterday's oil price, however was $10 higher than this, $53.47

per barrel, pushing this overall figure even higher. Fuel costs are the second biggest cost for our nation's airlines.

The chief of the IATA said that each dollar rise in the cost of oil boosts the industry's total fuel costs by about a billion dollars annually.

Airlines, many on the verge of bankruptcy like United Airlines in my State, cannot afford this. Workers and retirees are impacted with wage and benefits cuts. United Airlines reported that their fuel costs soared $200 million in just the first quarter of 2005.

And in this industry, where fuel makes up such a large portion on the companies operating budget, fuel efficiency is leading purchase decisions.

For instance, the next Boeing jetliner, the 787, is projected to be 20 percent more fuel efficient than its predecessors, key factor being cited by airlines like Air Canada and others who have placed orders for the new model.

The economic toll that rising energy costs has on the industrial sector is also large. For instance a $1 increase in the price of oil costs U.S. companies and consumers about $828 million in trucking costs each year.

And families are impacted too, making hard decisions as the money gasoline they pump into their gas tanks eats at a bigger portion of their paycheck.

I raise these issues because I think we can help move America in a direction whereby reducing demand will help to insulate our economy, our jobs and our national security from oil prices spikes brought on by either production quotas, infrastructure delivery implications or instability in foreign countries.

There is potential job growth if America embraces a new vision. For instance, a report completed by the Renewable Fuels Association estimated that doubling the production of ethanol could create 234,840 new jobs in all sectors of the U.S. economy—help communities grow and rejuvenate cities.

Advancing technological innovation can encourage our traditionally robust manufacturing sectors provide new parts and products that we will need to meet our goals. Cynics point to what we know, increasing fuel economy standards, visionaries embrace new ideas, advancing engineering design, alternative fuels, hybrids, hydrogen—and who knows what next.

Building new infrastructure or retooling factories are jobs that will be in America—not oversees. These jobs will provide stronger markets for goods and labor—reinvigorating some cities across the U.S.

Yesterday, Mr. Woolsey noted in our press conference that the U.S. borrows $4 billion annually to buy foreign oil. If each billion spent abroad were spent in the United States, we could create 10,000–20,000 American jobs, many in rural communities.

Technological change and advancement has always been a recipe for success for America. From the Wright brother's flier to the creation of the personal computer, we have created ways to advance and provide jobs for Americans while doing so.

But America needs to agree that we have to move in this direction. The Cantwell ''40 in 20'' Amendment establishes the goal that moves the U.S. forward.

Earlier on the floor today, I heard one of my colleagues say that it is not possible to reach the goal established by this amendment. First, how do we know if we do not try. Second, I challenge American's to do so—because it is our Nation's best interest.

The AP story yesterday noted that an energy analyst cautioned that, what is the so-called ''global depletion midpoint''—the point at which roughly half of oil reserves have been tapped and production can no longer be increased—could come by the end of the decade.

For me, I believe that we have no choice but to turn around before it's too late.

In May 1961, President John F. Kennedy set the goal of landing an American on the moon. He did not prescribe to scientists how to get an American to the Moon; he set the goal, and provided the resources to meet that goal. Only nine years later, Neil Armstrong and Edwin Aldrin made the first human steps on the Moon. I know there were skeptics at the time—I wasn't one of them, but there were—thinking a man couldn't walk on the Moon. But we did, and we've done so much more since.

When American's are challenged they have proven that they can and will rise to the occasion.

I encourage each one of my colleagues to think long and hard about this amendment and what vision they have for America.

If you want an America whose economy is strapped to the whims of foreign governments and supply shocks of foreign oil, then vote no on this amendment.

If you believe that America's great thinkers, innovators, scientists and businesses cannot create the solutions that we need to reach this goal then you should vote no on this amendment.

If you believe that we cannot create more jobs by increasing domestically produced fuels, then you should vote no on this amendment.

But if you want a different America, one where your children or grandchildren can don a lab-coat instead of a flack-jacket; where energy solutions can create jobs, protect the environment and safeguard public health and believe that America's economic prosperity and national security are our highest priority, I encourage you to vote yes on the Cantwell energy security amendment.

In keeping with the bipartisan nature of this bill to date, I encourage all my colleagues to pass this amendment and move America toward an energy independent future.

The Cantwell amendment moves us in the right direction, reducing our dependence on foreign oil and reducing our dependence on the nations that supply that oil.

Critics have come to the Senate floor and said: Well, she does not spell out how to do it. This bill spells out many ways that we could move toward less dependence on foreign oil, and because it is a good bipartisan bill, I am looking forward to supporting it.

These things which I have noted are already existing technology that can be used to move us toward this goal. For those of us who have a positive, optimistic view of the creativity and freedom in America, the Cantwell amendment sets us on a goal that America should achieve on a bipartisan basis.

I urge my colleagues on both sides of the aisle to join me in supporting the amendment.

I yield the floor.

Mr. CRAPO. Mr. President, during Senate vote No. 139, pertaining to amendment No. 779, I was necessarily absent. Had I been present, I intended to vote ''yes.'' I ask that the RECORD reflect this.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I ask unanimous consent that I may proceed as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

JOHN BOLTON NOMINATION

Mr. ROBERTS. Mr. President, I rise today in an attempt once again to resolve an intelligence-related issue with regard to the nomination of Under Secretary John Bolton to be the U.S. Representative to the United Nations. As my colleagues are probably aware, for some time I have been engaged in an effort to assist my colleagues on the Senate Foreign Relations Committee with some concerns they have with regard to Mr. Bolton and his request for U.S. person identities that are contained in certain intelligence reports.

The last time I came to the floor of the Senate, I spoke at length about Mr. Bolton's requests. After reviewing the actual reports and examining the process whereby he was provided the information that he sought, it was apparent to me that Mr. Bolton's requests were not only appropriate but very routine. As far as I was concerned, that was the end of the matter, and I so indicated in my response to the chairman of the Foreign Relations Committee, Senator LUGAR, in a letter.

Based on statements by some of my colleagues, concerns about Mr. Bolton's requests for identities have apparently expanded to include whether the Under Secretary sought these identities to exert some form of retribution against certain Government officials. Although the Foreign Relations Committee's minority views and statements made by minority members seem to indicate that the universe of these officials, or their concerns about

these officials, is very small, it is now very clear that this universe is indeed expanding, if not exploding. In fact, in a response I received from the distinguished ranking member, Senator BIDEN, and Senator DODD, we have gone from the innermost planets in our solar system of their concern to include the entire Milky Way. I have informed my colleagues that I could not support such a request because it appears to be more of an effort to preserve this issue, this stalemate, this what some people call a filibuster, than an effort to resolve it.

I also informed Senators BIDEN and DODD, however, that I could recommend a more focused request that is consistent with their public statements in their minority views. I believe that such a request could be a basis for moving this process forward, a goal I hoped we all shared to get the process moving.

In the interest of moving forward, I urged my colleagues to reconsider the scope of their request. The response quite frankly was, no, thank you. That is probably the nicest way I can put it. I believe their bottom line is now: Give us all of the names we have now put in play or no deal.

As members of the legislative branch, we have all been in the position of requesting information from the executive branch and being told no. That is not pleasant. That is not what we would like to hear from the executive branch. But we do understand—I think, I hope—that there are limits to what we can demand and expect to receive. That is just a fact of life as we negotiate the separation of powers between the two branches of Government.

My colleagues know full well that an absolutist will inevitably lead to a stalemate, and that is what has happened. That is why we tried to work in good faith to address our concerns while recognizing each branch's responsibility and their prerogatives.

In my experience, a middle ground is usually achievable. It may take time, but usually we can achieve it. In this case, I believe the administration was willing to meet my colleagues halfway. In other words, if they would provide a reasonable list of names based on actual findings by the committee, perhaps they could be assured that those names were not contained in the reports and their concerns would be simply allayed, while at the same time it would permit the executive to preserve its prerogative to control the dissemination of very sensitive information.

Let me just say that signals intelligence and intercepts is in the highest compartmented criteria in regards to intelligence information. So this is very sensitive.

Once again, I think that the middle ground, unfortunately, proved very elusive. I am sympathetic to my colleagues' desire to see information they deem necessary to their consideration of Mr. Bolton's nomination. I do not believe, however, that they should be imposing their standard on the entire Senate. The last cloture vote clearly demonstrated that a clear majority believes that the Senate does possess the sufficient information to vote on Mr. Bolton's nomination, and vote we should.

With that said, I am prepared to go one step further, in one last good-faith effort, to try to alleviate the concerns expressed by my colleagues across the aisle. Because my colleagues would not share their list of names with me, I have taken what may be viewed as the somewhat unorthodox step of compiling a list of names that I believe do actually reflect the universe of individuals who fall within the parameters set by my colleagues' public statements and their minority views.

I am not doing this with temerity. I am trying to make a good-faith effort, and I hope people appreciate my intent in the doing of this. I want my colleagues to know that I have done this in a sincere effort to move this process forward. I do not in any way wish to substitute my judgment for my colleagues', but I do hope we can reach some sort of an accommodation. So I have submitted my list of names to the Director of National Intelligence, John Negroponte, and he has assured me that none of them are among the names requested by Under Secretary Bolton.

The names I submitted included Carl Ford, Assistant Secretary of State for Intelligence and Research, his name is not in the intercepts; Christian Westermann of the INR, State Department intelligence branch, not in the intercepts; the individual known as Mr. Smith, not in the intercepts; Rexon Ryu, State Department official, not in the intercepts; Charles L. Pritchard, special envoy for negotiations with North Korea, not in the intercepts.

There were two other individuals referenced in the minority views whose names have not been made public, and I will not do so now. However, I did submit their names, and they were not in the intercepts. I am more than willing to share the two names with my colleagues on the Foreign Relations Committee, but I will not discuss them publicly.

Finally, the Foreign Relations Committee's minority views also referenced two other unnamed individuals. I understand, however, that the committee itself is not aware of who these people are, and therefore it is highly unlikely that those names would be part of anybody's list. They were certainly not on mine.

I strongly believe this compromise represents the best middle ground and should more than satisfy the concerns of my colleagues. These are the names that were mentioned in the minority views. These are the names that were mentioned in regard to the people who were interviewed. These are the names that have been referred to in the press and the media over and over again. That is what this universe is about.

I am very hopeful that this should more than satisfy the concerns of my colleagues, unless, of course, they are not interested in being satisfied, and if that is the case, there is really nothing further anybody can do to move this process forward.

I believe it is high time that we vote on this nomination, up or down, whichever way the chips fall. I urge my colleagues on both sides of the aisle to take the next step, whether they are in favor of Mr. Bolton's nomination or not, whether they are for him or they are opposed. We have made some strides recently, it seems to me, in moving nominations to a vote. It seems to me we should continue that trend with Mr. Bolton's nomination and get on with the business of the Senate.

I hope I have been helpful. I hope people do not take my actions in the wrong way. I am acting in good faith in the very best way I know how to reach a compromise to alleviate the concerns of my friends across the aisle. I hope that has been the case in regards to my remarks this evening.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO THE LATE SENATOR JIM EXON OF NEBRASKA

• Mr. HARKIN. Mr. President, with the passing of former Senator Jim Exon on Friday, a giant oak in the forest of public service has fallen. Political historians will remember him as a dominant force in Nebraska politics across nearly 3 decades, serving two terms as Governor and three as Senator. Those of us who were privileged to be his friend remember him, first and foremost, as a man of enormous decency, integrity, and common sense. We remember his quick mind; his slow, gravelly voice; his Midwestern directness and unpretentiousness.

Here on the Senate floor, I am privileged to sit at the same desk that Senator Exon used during the last of his 18 years in the Senate. I inherited it upon his retirement in 1996, and I have always considered it a special honor to carry on where he left off.

Of course, for people in Iowa, Jim Exon was a next-door neighbor. Over the years, Iowans got to know him well

as a stalwart friend of family farmers; as a tireless promoter of rural economic development; and, a time when the bioeconomy was in its infancy, as a true believer in the future of ethanol and other home-grown, renewable sources of energy.

Jim Exon was not just present at the creation of the ethanol industry, he was an important midwife of that industry. He took office as Governor in 1970, and in 1971 he created the Nebraska Ethanol Board. In the ensuing years of ethanol's infancy, it was Nebraska and Iowa that led the way in establishing this industry. At every step, Jim Exon was there as an advocate and champion.

I will always remember my partnership with Senator Exon and Senator John Melcher of Montana on the 1985 farm bill. We fought long and hard to fend off attacks on safety-net programs for family farmers. Night after night, we kept the Senate in session into the early hours of the morning. And, thanks to Jim's leadership and sheer relentlessness, we carried the day.

Throughout his political career, Jim Exon prided himself on reaching across party lines and forging bipartisan consensus. This is very much a Nebraska tradition, going back to the legendary George Norris, who founded the State's unicameral Legislature. Jim succeeded as a Democrat in an overwhelmingly Republican State because he knew how to reach out, how to unite people around shared interests. Senator BEN NELSON, a long-time friend and protégé of Jim Exon, prides himself on continuing this tradition of bipartisanship and bridge-building.

They didn't call him Big Jim for nothing. He was big physically, tall and imposing. He was big politically—the only Nebraskan since George Norris to win five consecutive statewide elections. And Jim was big-hearted, a tough, relentless man, but also a compassionate person who cared deeply about other people and their wellbeing.

As a public official, he was an old-fashioned fiscal conservative. He railed against what he called ''wild-eyed spenders.'' As Governor, he repeatedly vetoed the Legislature's spending bills, 141 vetoes in all. And, here in the Senate, he took on Republicans and Democrats alike who, in his eyes, were being reckless with the taxpayer's dollar.

Senator Jim Exon has been lying in state in the Rotunda of the Nebraska Capitol. Funeral services will be held this afternoon at the same location. So, today, the Senate says farewell to a truly distinguished former member. Jim was a good friend to me, and he was much beloved in this body. Today, our thoughts are with him, his family, and the people of Nebraska. May Jim rest in peace.●

AGAINST RACE-BASED GOVERNMENT IN HAWAII, PART II

Mr. KYL. Mr. President, I rise today to ask unanimous consent that the following analysis of S. 147, the Native Hawaiian Government Reorganization Act, prepared by constitutional scholar Bruce Fein, be entered into the RECORD following my present remarks.

Mr. Fein's analysis of the act builds on his analysis of the 1993 apology resolution, which was printed in the RECORD yesterday. Mr. Fein's present analysis ably demonstrates why the Native Hawaiian Government Act is at war with the U.S. Constitution's guarantees of rights and its limits on governmental power. The bill is particularly offensive to the fundamental principle of equal protection of the laws. I commend Mr. Fein's analysis of the act to my colleagues.

There being no objection, the material ordered to be printed in the RECORD, as follows:

[From the Grassroot Institute of Hawaii
June 1, 2005]
(By Bruce Fein)

HAWAII DIVIDED AGAINST ITSELF CANNOT STAND—AN ANALYSIS OF THE AKAKA BILL

The Akaka Bill pivots generally on the same falsehoods and mischaracterizations as the Apology. It further celebrates a race-based government entity in flagrant violation of the non-discrimination mandates of the Fifth, Fourteenth and Fifteenth Amendments.

Section 1 misleads by naming the Act the ''Native Hawaiian Government Reorganization Act of 2005.'' As amplified above, there has never been a government in Hawaii for Native Hawaiians alone since Kamehameha established the Kingdom in 1810. Something that has never been cannot be reorganized.

Section 2 makes twenty-three findings that are either false or misleading.

Finding (1) asserts that Congress enjoys constitutional authority to address the conditions of the indigenous, native people of the United States. But the finding fails to identify the constitutional source of that power, or how it differs from the power of Congress to address the conditions of every American citizen. Congress does not find that Native Hawaiians were ever subjugated or victimized by racial discrimination or prevented from maintaining and celebrating a unique culture. Moreover, the United States Supreme Court explicitly repudiated congressional power to arbitrarily designate a body of people as an Indian tribe in *United States* v. *Sandoval* 231 U.S. 28, 45 (1913). As Alice Thurston unequivocally stated arguing for Interior Secretary Babbitt in *Connecticut* v. *Babbitt* 228 F.3d, 82 (2nd Cir. 2000) ''When the Department of the Interior recognizes a tribe, it is not saying, 'You are now a tribe.' It is saying, 'We recognize that your sovereignty exists.' We don't create tribes out of thin air.'' [Footnote: Jeff Benedict, Without Reservation (New York: HarperCollins Publishers, 2000) 349.]

Finding (2) asserts that Native Hawaiians are indigenous, native people of the United States. The finding is dubious. Native Hawaiians probably migrated to the Islands from other lands and remained as interlopers.

Finding (3) falsely asserts that the United States ''has a special political and legal responsibility to promote the welfare of the native people of the United States, including Native Hawaiians.'' No such responsibility is imposed by the Constitution or laws of the United States. No decision of the United States Supreme Court has ever recognized such a responsibility. Indeed, Congress would be acting constitutionally if it abolished all tribal sovereignty that it has extended by unilateral legislation.

Finding (4) recites various treaties between the Kingdom of Hawaii and the United States from 1826 to 1893. The finding is as irrelevant to the proposed legislation as the heliocentric theory of the universe.

Finding (5) falsely declares that the Hawaiian Homes Commission Act (HHCA) set aside approximately 203,500 acres of land to address the conditions of Native Hawaiians in the then federal territory. In fact, the HHCA established a homesteading program for only a small segment of a racially defined class of Hawaii's citizens. Its intended beneficiaries were not and are not now ''Native Hawaiians'' as defined in the Akaka bill (i.e., those with any degree of Hawaiian ancestry, no matter how attenuated), but exclusively those with 50 percent or more Hawaiian ''blood''—a limitation which still applies with some exceptions for children of homesteaders who may inherit a homestead lease if the child has at least 25 percent Hawaiian ''blood.''

The HHCA was enacted by Congress in 1921 based on stereotyping of ''native Hawaiians'' (50% blood quantum) as characteristic of ''peoples raised under a communist or feudal system'' needing to ''be protected against their own thriftlessness''. The racism of *Plessy* v. *Ferguson*, 163 US 537, (1896) was then in its heyday. If that derogatory stereotyping were ever a legitimate basis for Federal legislation, *Adarand Constructors* v. *Pena*, 515 U.S. 200 (1995) and a simple regard for the truth deprive it of any validity today.

Finding (6) asserts that the land set aside assists Native Hawaiians in maintaining distinct race-based settlements, an illicit constitutional objective under *Buchanan* and indistinguishable in principle from South Africa's execrated Bantustans.

Finding (7) notes that approximately 6,800 Native Hawaiian families reside on the set aside Home Lands and an additional 18,000 are on the race-based waiting list. These racial preferences in housing are not remedial. They do not rest on proof of past discrimination (which does not exist). The preferences are thus flagrantly unconstitutional. See *Richmond* v. *J.A. Croson Co.*, 488 U.S. 469 (1989); *Adarand Constructors*, supra.

Finding (8) notes that the statehood compact included a ceded lands trust for five purposes, one of which is the betterment of Native Hawaiians. As elaborated above, the 20 percent racial set aside enacted in the 1978 statue violates the general color-blindness mandate of the Constitution.

Finding (9) asserts that Native Hawaiians have continuously sought access to the ceded lands to establish and maintain native settlements and distinct native communities throughout the State. Those objectives are constitutionally indistinguishable from the objectives of whites during the ugly decades of Jim Crow to promote an exclusive white culture exemplified in Gone with the Wind or The Invisible Man. The United States Constitution protects all cultures, except for those rooted in racial discrimination or hierarchies.

Finding (10) asserts that the Home Lands and other ceded lands are instrumental in the ability of the Native Hawaiian community to celebrate Native Hawaiian culture and to survive. That finding is generally false. The United States Constitution fastidiously safeguards Native Hawaiians like all other groups in their cultural distinctiveness or otherwise. There is but one exception. A culture that demands racial discrimination against outsiders is unconstitutional and is not worth preserving. Further, as Senator Inouye himself has proclaimed, Native Hawaiians and other citizens are thriving in harmony as a model for other racially diverse communities under the banner of the United States Constitution.

Finding (11) asserts that Native Hawaiians continue to maintain other distinctively native areas in Hawaii. Racial discrimination in housing, however, is illegal under the Fair Housing Act, the Civil Rights Act of 1871, and the Equal Protection Clause of the Fourteenth Amendment if state action is implicated.

Finding (12) notes the enactment of the Apology Resolution, which is riddled with falsehoods and mischaracterizations as amplified above.

Finding (13) repeats falsehoods in the Apology Resolution. Contrary to its assertions, the Monarchy was overthrown without the collusion of the United States or its agents; the Native Hawaiian people enjoyed no more inherent sovereignty under the kingdom than did non-Native Hawaiians; in any event, sovereignty at the time of the overthrow rested with Queen Lilioukalani, not the people; the public lands of Hawaii belonged no more to Native Hawaiians than to non-Native Hawaiians; and, there was never a legal or moral obligation of the United States or the Provisional Government after the overthrow to obtain the consent of Native Hawaiians to receive control over government or crown lands. No Native Hawaiian lost a square inch of land by the overthrow.

Finding (14) repeats the Apology Resolution's nonsense of a need to reconcile with Native Hawaiians when there has never been an estrangement, as testified to by the 1994 remarks of Senator INOUYE.

Finding (15) corroborates the obvious: namely, that the United States Constitution fully protects Native Hawaiians in celebrating their culture, just as it does the Amish or any other group desiring to depart from the mainstream.

Findings (16), (17), and (18) similarly corroborates that the United States Constitution guarantees religious or cultural freedom to Native Hawaiians as it does for any other distinctive group. On the other hand, the finding falsely asserts that Native Hawaiians enjoy a right to self-determination, i.e., a right to establish an independent race-based nation or sovereignty. The Civil War definitively established that no individual or group in the United States enjoys a right to secede from the Union, including Native American Indian tribes.

Finding (19) falsely asserts that Native Hawaiians enjoy an ''inherent right'' to reorganize a Native Hawaiian governing entity to honor their right to self-determination. The Constitution denies such a right of self-determination. A Native Hawaiian's lawsuit to enforce such a right would be dismissed as frivolous. Further, there has never been a race-based Native Hawaiian governing entity. An attempt to reorganize something that never existed would be an exercise in futility, or folly, or both.

Finding (20) falsely insinuates that Congress is saddled with a greater responsibility for the welfare of Native Hawaiians than for non-Native Hawaiians. The Constitution imposes an equal responsibility on Congress. Race-based distinctions in the exercise of congressional power are flagrantly unconstitutional. See Adarand Constructors, supra.

Finding (21) repeats the false insinuation that the United States is permitted under the Constitution to create a racial quota in the administration of public lands, contrary to Adarand Constructors, supra.

Finding (22) also brims with falsehoods. Subsection (A) falsely asserts that sovereignty in the Hawaiian Islands rested with aboriginal peoples that pre-dated Native Hawaiians, i.e. that the aboriginals were practicing and preaching government by the consent of the governed long before Thomas Jefferson's Declaration of Independence. But there is not a crumb of evidence anywhere in the world that any aboriginals believed in popular sovereignty, no more so than King Kamehameha I who founded the Kingdom of Hawaii by force, not by plebiscite.

Subsection (B) falsely insinuates that Native Hawaiians as opposed to non-Native Hawaiians enjoyed sovereignty or possessed sovereign lands. The two were uniformly equal under the law. In any event, sovereignty until the 1893 overthrow rested with the Monarch. Sovereign lands were employed equally for the benefit of Native Hawaiians and non-Native Hawaiians. [See Appendix page 3 paragraphs 3, 4]

Subsection (C) falsely asserts that the United States extends services to Native Hawaiians because of their unique status as an indigenous, native people. The services are extended because Native Hawaiians are United States citizens and entitled to the equal protection of the laws. The subsection also falsely insinuates that Hawaii previously featured a race-based government.

Subsection (D) falsely asserts a special trust relationship of American Indians, Alaska Natives, and Native Hawaiians with the United States arising out of their status as aboriginal, indigenous, native people of the United States. The United States has accorded American Indians and Alaska Natives a trust relation in recognition of existing sovereign entities and a past history of oppression and subjugation. The trust relationship, however, is voluntary and could be ended unilaterally by Congress at any time. Native Hawaiians, in contrast, have never featured a race-based government entity. They have never suffered discrimination. They voted overwhelmingly for statehood. And they have flourished since annexation in 1898, as Senator INOUYE confirms. If Native Hawaiians alleged a constitutional right to a trust relationship, they would be laughed out of court.

Finding (23) falsely insinuates that a majority of Hawaiians support the Akaka Bill based on politically correct stances of the state legislature and the governor. The best polling barometers indicate that Hawaiian citizens oppose creating a race-based governing entity with unknown powers. If the proponents of the Akaka Bill genuinely believed Finding (23), they would readily accede to holding hearings and a plebiscite in Hawaii as a condition of its effectiveness on the model of the statehood plebiscite. But they are adamantly opposed because they fear defeat.

Section 3's definition of ''Native Hawaiian'' in subsection (8)(A) falsely insinuates that Native Hawaiians exercised popular sovereignty in Hawaii on or before 1893. Sovereignty rested with the Monarch; and, Native Hawaiians never operated a race-based government.

Section 4 is replete with falsehoods. Subsections (a)(1) and (2) falsely maintain that the United States has a special political and legal relationship with Native Hawaiians. No such special relationship is recognized in the United States Constitution, which requires equality among citizens. Subsection (a)(3) falsely maintains that the congressional power to regulate commerce ''with the Indian Tribes'' empowers Congress to create a race-based government for Native Hawaiians. Creating a race-based government is not a regulation of commerce; and, Native Hawaiians, unlike Indian Tribes, never organized a government exclusively for Native Hawaiians. No court has ever sanctioned the subsection's far-fetched interpretation of the Indian Commerce Clause. Article IV of the Constitution provided the congressional authority for the Hawaiian Homes Commission Act of 1920 and for Hawaiian statehood. The many several federal laws addressing the conditions of Native Hawaiians are not based on the Indian Commerce Clause. To the extent they embrace racial distinctions, they are unconstitutional.

Subsection (a)(4) falsely asserts that Native Hawaiians sport an inherent right to autonomy in their internal affairs; an inherent right to self-determination and self-governance; the right to reorganize a Native Hawaiian governing entity; and, a right to become economically self-sufficient. None of these asserted rights is recognized by the Constitution or federal statutes. All have been concocted by proponents of the Akaka Bill with no more legitimacy than the right of the Confederacy to secede from the Union.

Subsection (b) falsely asserts that the purpose of the Akaka Bill is to provide a process for the ''reorganization'' of the Native Hawaiian governing entity. As explained above, there has never been a race-based Native Hawaiian governing entity. Something that has never been cannot be reorganized.

Section 7 is flagrantly unconstitutional in its erection of a race-based government in violation of the non-discrimination mandates of the Fifth, Fourteenth and Fifteenth Amendments. It directs the Secretary of Interior to appoint nine Native Hawaiian Commissioners to prepare and maintain a roll of Native Hawaiians to participate in the bogus ''reorganization'' of a Native Hawaiian government. The race-based appointments violate the equal protection component of the Fifth Amendment. Preparing and maintaining a race-based electoral roll violates the same equal protection command. See Rice v. Cayetano, supra.. As Justice Anthony Kennedy explained in that case:

''The ancestral inquiry mandated by [Hawaii] is forbidden by the Fifteenth Amendment for the further reason that the use of racial classifications is corruptive of the whole legal order democratic elections seek to preserve. The law itself may not become the instrument for generating the prejudice and hostility all too often directed against persons whose particular ancestry is disclosed by their ethnic characteristics and cultural traditions. 'Distinctions between citizens solely because of their ancestry are by their very nature odious to a free people whose institutions are founded upon the doctrine of equality.' Hirabayashi v. United States, 320 U.S. 81 (1943). Ancestral tracing of this sort achieves its purpose by creating a legal category which employs the same mechanisms, and causes the same injuries, as laws or statutes that use race by name.'' Cayetano, at 517.

Under Section 7, the enrolled race-based members are empowered to elect an Interim Governing Council from one of their own, another race-based voting distinction that violates the Fifteenth Amendment and equal protection. The Fifteenth Amendment (which promises the right to vote shall not be denied on account of race) includes any election in which public issues are decided or public officials selected. The Council establishes race-based criteria for citizenship in the Native Hawaiian governing entity, subject to a race-based plebiscite, and otherwise cobbles together an organic governing document. The Secretary of Interior then certifies the organic race-based charter under which race-based elections are held to the Native Hawaiian governing entity. That certification would violate the Secretary's solemn oath to protect and defend the Constitution without mental reservation. It seems highly improbable that the Native Hawaiian commissioners would allow an electoral role for non-native Hawaiians. The bill itself anticipates a ''native Hawaiian governing entity' which would be a misnomer if non-native Hawaiians were included.

Section 8 establishes an open-ended negotiating agenda between the United States, the

State of Hawaii, and the unconstitutional Native Hawaiian governing entity to fix the powers and immunities of the latter. Nothing is excluded. For example, the Native Hawaiian entity might exercise criminal and civil jurisdiction over non-Native Hawaiians. It might be exempt from all federal, state, and local taxes. It might be shielded from all federal, state, and local regulatory, health, welfare, labor, zoning, and environmental laws. It might be free of restraints imposed by the United States Constitution, and violate freedom of speech, press, religion, or association with impunity. It might be empowered to exercise eminent domain over land both within and without its geographical boundaries. It might be authorized to exempt Native Hawaiians from military service and to evict the United States Navy and Army from their current Hawaiian bases. Proponents of the Akaka Bill adamantly refuse to exclude these horrors by explicit language.

CHARLES TAYLOR AND NIGERIAN DEBT RELIEF

Mr. LEAHY. Mr. President, I want to call attention to an important, yet often overlooked, provision of law that governs the relationship of the United States with nations that harbor individuals who have been indicted by the Special Court for Sierra Leone or the International Criminal Tribunal for Rwanda. This provision, section 585 of the Foreign Operations Appropriations Act, which was signed into law by President Bush in January 2004 and reauthorized about a year later, makes it clear that the Unites States stands for the rule of law in Africa. This is not a partisan issue. Democrats and Republicans understand the importance of the rule of law, which is a cornerstone for peace, democracy, justice and development in Africa—and around the world. In fact, Senator JUDD GREGG, a Republican from New Hampshire, coauthored this provision with me.

I see my friend from Illinois, Senator OBAMA, on the floor and am wondering if he agrees.

Mr. OBAMA. I agree with the senior Senator from Vermont about the importance of upholding the rule of law in Africa and around the world. I would also like to add my support for the efforts of the Special Court for Sierra Leone to bring to justice some of the worst war criminals of the 20th century. While the Special Court has not been perfect, there is no question that the Court is doing vitally important work of promoting peace and reconciliation, increasing accountability, and strengthening the rule of law throughout West Africa. I also want to discuss a related issue—the case of Charles Taylor. I know the Senator from Vermont has been working for years on this issue.

I will simply say that Charles Taylor is an indicted war criminal, and he needs to be transferred to the Special Court to stand trial as soon as possible. The Government of Nigeria has allowed Charles Taylor to live in exile, within its borders, with the support of the international community, including the United States, since August 2003. While we owe Nigeria a debt of gratitude for helping prevent further bloodshed in Liberia, it is time for Mr. Taylor to be transferred to the Special Court.

No nation should be permitted to willfully ignore an indictment issued by this tribunal. Moreover, there are credible reports that Mr. Taylor has broken the terms of his exile, is a threat to the Liberian peace process, and continues to meddle in the internal affairs of Liberia—just a few months before the Liberian elections.

I wonder if the Senator from Vermont shares my views?

Mr. LEAHY. I absolutely share the Senator's views of the situation. Charles Taylor's actions are a breach of his promises to Nigerian President Obasanjo. And, I believe that if Nigeria does not hand over Charles Taylor for trial, it could constitute a threat to Liberian peace, justice in Sierra Leone, and the rule of law throughout West Africa. This is why the provision of law that I mentioned earlier is so important. It is the law of the United States that there shall be no assistance to the central government—including debt relief—for countries harboring fugitives from the Special Court for Sierra Leone. There is strong bipartisan support in the U.S. Congress to reauthorize this provision in fiscal year 2006, which means that unless President Bush issues a waiver, Nigeria will not be eligible for U.S. debt relief or military assistance, or any other assistance to the central government, until it sends Charles Taylor to the Special Court for trial.

I would point out that President Bush can exercise the waiver authority in the law by simply submitting a plan in writing on how the Administration will get Mr. Taylor to the Special Court to stand trial.

Mr. President, it is not in the interests of the people of West Africa, including Nigeria, or the United States, to continue to shelter Charles Taylor from justice. As a strong supporter of debt relief, I believe there is a strong case to be made that Nigeria's debt should be forgiven—but not until President Obasanjo again demonstrates leadership and hands over Charles Taylor for trial. At that point, I will strongly support debt relief for Nigeria and actively lobby the administration and Congress to make it a reality.

Mr. OBAMA. I thank the Senator from Vermont, the ranking member of the Appropriations Subcommittee on State, Foreign Operations, because he makes a crucial point. Debt relief from the United States is not automatic. In the past, debt relief has come with conditions, including making progress in fighting corruption and on economic reform, to ensure that this relief achieves the maximum results.

For Nigeria, this means turning over Charles Taylor—an indicted war criminal who has the blood of thousands on his hands and threatens, once again, to destabilize the region—to the Special Court. Like the Senator from Vermont, I strongly believe that Nigeria is a worthy candidate for debt relief and a key U.S. partner in West Africa. When Charles Taylor is turned over, there is no doubt in my mind that I will be a forceful advocate for debt relief for Nigeria. I would also like to praise the Government of Nigeria for its leadership on other issues, especially their efforts to lead the African Union force in Darfur. I want nothing more than to see the Taylor issue successfully resolved so we can focus our attention on other important issues with the Nigerians.

I would also reiterate what the Senator said about the waiver authority contained in section 585. The President can waive these restrictions, including those pertaining to Nigerian debt relief, by formulating a plan to get Mr. Taylor to the Court.

Mr. LEAHY. I thank the Senator from Illinois and refer all Senators to section 585, entitled ''War Crimes in Africa,'' of Public Law 108–447, the Foreign Operations Appropriations Act, 2005. I yield the floor.

NATIONAL HISTORY DAY

• Mr. BOND. Mr. President, I rise to recognize June 15, 2005 as National History Day. The National History Day Program is an annual celebration to recognize the importance of a strong history curriculum in schools in Missouri and across the country. This celebration is also a showcase for students across the Nation to present their knowledge and interest in particular events in history through performances, documentaries, and exhibits.

This year, Missouri has 5 exemplary students selected from a group 2,000 finalists to perform and present their projects at the Smithsonian American Art Museum. Kate LaRose, a student at Jefferson Junior High School in Columbia, MO, was recognized for her project ''Martha Graham: The Power of Communication through Dance.'' Robert Adams, Raeed Chowdhury, Rui Du, and Yun-Han Huang, all students at Rolla High School in Rolla, MO, were also recognized for their exhibit titled ''Controversial Art: Thomas Hart Benton's Communication Tool.''

I congratulate Katie, Robert, Raeed, Rui, and Yun-Hun for this honor and commended them for their dedication, commitment, and hard work.•

Mr. LIEBERMAN. Mr. President, I rise to take note of the 25th annual National History Day and express my strong support for the goals of the National History Day program. A basic knowledge of history is essential for our Nation's children to become informed participants in our democracy. National History Day promotes history education in Connecticut and throughout the Nation.

The National History Day Program encourages students to think critically

and create dramatic performances, exhibits, documentaries, and research papers by exploring a variety of resources beyond classroom textbooks. Students in grades 6–12 engage in this challenging year-long program in order to gain a better understanding of the importance of studying history. I believe that a fundamental understanding of history is imperative in order to appreciate the present world situation. Fifty students from Connecticut have demonstrated their proficiency in the subject area by having been selected as National History Day finalists from our State.

As a Senator from the State of Connecticut, I am pleased to congratulate the students from Connecticut who have been selected to represent our State at this year's National History Day competition. It also gives me great pleasure to pay special tribute to Sadie Hartell and Elizabeth Kelly. Sadie Hartell and Elizabeth Kelly, both students at Hall Memorial School in Willington, CT, were among the 19 students chosen out of more than half a million across America to display and present their history projects at the Smithsonian American Art Museum. Sadie's project is titled ''The Beatles: Communicating to their Generation.'' Elizabeth's project is titled ''The Second American Revolution: Elizabeth Cady Stanton and her Fight.''

I applaud all 50 delegates from the State of Connecticut for having been selected to represent our State as finalists in the National History Day competition and commend these students for their diligence and creativity. I join with the citizens of the State of Connecticut in wishing them well in all their future endeavors.

Mrs. DOLE. Mr. President, I am delighted to come to the floor today to congratulate Nathan Przestrzelski of Swannanoa, NC and Stephen Gordon of Fletcher, NC on being selected to present their award-winning history projects at the Smithsonian National Museum of American History and the Smithsonian American Art Museum in celebration of National History Day.

For 25 years the National History Day Program has brought history to life for students across our country. By combining creativity with scholarship, students are finding a new appreciation for the past while developing valuable skills in writing and analytical reasoning. Most importantly, this program focuses on inspiring each child to reach his or her full potential, and in doing so provides a great service by increasing their confidence and ability to succeed.

This year the National History Day Program asked students to present projects on the theme ''Communication in History: the Key to Understanding.'' Students were asked to explore the role communication plays in history and its significance in helping shape how historical changes have been understood.

Let me share with you the two wonderful projects Nathan and Stephen presented.

Nathan presented his exhibit entitled, ''The History of Spring Training: Communication is the Key to Understanding the Merger of Athletic Preparation with Market Magic.'' His project explores how baseball's spring training has grown from traditionally being a means for athletic preparation to today becoming a multi-million dollar industry expressed through business marketing. Nathan was able to incorporate his love of sports, his interest in business, and his appreciation of history to better understand how this tradition evolved over time.

Stephen also presented his project, a documentary entitled, ''Telling Tales: The Appalachian Oral Tradition.'' His work depicts how the people of Appalachia have communicated ideas, history, heritage, and values through the use of nothing more than oral tradition. Stephen was able to trace stories from the mountains of North Carolina back over hundreds of years and show how fundamental concepts were passed from generation to generation.

Through their hard work and dedication, these young historians show that discovering, understanding, and interpreting history is not only important, but exciting.

Today is a proud day for Nathan, Stephen, and their families. We are proud of these student's hard work, dedication, and tremendous achievements. I believe passionately that education is the foundation for success, and I am encouraged to see students so active in the learning process. I hope Nathan and Stephen have enjoyed this experience and I wish them continued success in the years ahead.

Mr. DEWINE. Mr. President, the importance of learning and appreciating history cannot be understated. Men and women—young and old—benefit from learning about the past as a way to shape the future. Today, the National History Day Program is honoring students from around our Nation who have displayed excellence in the study of history, and I am pleased to recognize five students from my home State of Ohio who are participating in this important program.

The National History Day Program actually originated in Ohio at Case Western Reserve University in Cleveland. The National History Day Program allows students to create exhibits, documentaries, and performances by using their critical thinking and research skills in the subject of history. This year is a special year, as the National History Day organization is celebrating its 25th Anniversary of training students and teachers to incorporate libraries, museums, and archives into their learning plans.

I would like to take a moment to recognize the Ohioans who are participating this year. Megan Daines, a student at Hannan Trace Elementary in Crown City, OH, presented her project, titled ''The Underground Railroad: Communication between Two Worlds,'' at the Smithsonian National Museum of American History. Holly Anderson, a student at Canton County Day School in Massillon, OH, was one of 19 students chosen from over 2,000 finalists to perform her original work, ''All of a Flutter: The Secret Language of the Fan,'' in the Grand Salon in the Renwick Gallery of the Smithsonian American Art Museum.

Ian Shaw of Sylvania, Michael Kreuz of Swanton, and Ben Spang of Toledo are three Ohio home-schooled students, who have been selected to present their project at the National Museum of Health and Medicine. Ian, Michael, and Ben joined Isaac Skaggs of Michigan to complete a documentary titled, ''A Voice in the Darkness: Dr. Jonathan Mann, Uniting the World Against AIDS.''

I congratulate all of these students for their presentations and performances. Their dedication to the pursuit of excellence in the study of history sets a great example for our Nation's youth. I join all Ohioans in wishing them all the best in their future endeavors.

Mr. HAGEL. Mr. President, I rise to congratulate Michael Walsh of Omaha, NE, an outstanding student and young history scholar whose National History Day project has been chosen out of half a million in America to be presented today at the White House Visitor Center. Michael's documentary, ''Let the Word Go Forth: JFK's New Frontier,'' highlights President Kennedy's unique ability to communicate effectively with both Americans and leaders throughout the world, especially during the Cuban missile crisis, a critical time in America's history. His project shows that young Americans can take important historical events and share them with us in an interesting and educational way. Michael is a student at Lewis and Clark Middle School in Omaha.

National History Day is a unique approach to teaching and learning history in our Nation's classrooms. It allows students to create exhibits, documentaries and performances by using their critical thinking and research skills in the subject of history. This year marks the 25th anniversary of the National History Day organization.

All of Nebraska is proud of Michael's commitment to scholarship. This young Nebraskan understands that history shapes our future and influences the world we live in today. I ask my colleagues to join me and all Americans in honoring Michael Walsh and all students who participated in National History Day.

LOCAL LAW ENFORCEMENT ENHANCEMENT 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 categories to current hate crimes 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 year, a 19-year-old gay man was bludgeoned with a pipe while standing on a street corner in Queens, NY.

I believe that the Governments 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.●

THE FIFTY CALIBER SNIPER WEAPON REGULATION ACT

Mr. LEVIN. Mr. President, in recent years, there has been numerous reports regarding .50-caliber sniper rifles and the danger they pose to our communities and homeland security. It is important that we take action to prevent potential terrorists and violent criminals from having easy access to these dangerous weapons.

The .50-caliber sniper rifle is a favorite weapon of militaries around the world. According to a report released by the Violence Policy Center last year, a .50-caliber sniper rifle is capable of accurately hitting a target over 1,500 yards away, and the ammunition available for the rifle includes armor-piercing, incendiary, and explosive bullets. The report also cites the U.S. Army's manual on urban combat, which states that .50-caliber sniper rifles are designed to attack bulk fuel tanks and other high-value targets from a distance using ''their ability to break through all but the thickest shielding material.'' According to the Brady Campaign to Prevent Gun Violence, one of the leading manufacturers of the .50-caliber sniper rifle has also promoted their rifle's ability to destroy ''multimillion dollar aircraft with a single hit delivered to a vital area.''

While these capabilities may be desirable for military purposes, the .50-caliber sniper rifle provides the same capabilities to terrorists who may use them to bring down civilian aircraft, attack critical infrastructure, or kill innocent Americans. Currently, these powerful weapons are subject to only minimal Federal regulation and are treated the same as other long rifles including shotguns, hunting rifles, and smaller target rifles. A loophole in the law, commonly known as the ''gun show loophole,'' also allows for .50-caliber sniper rifles to be purchased without even a minimum background check.

I have cosponsored the Fifty-Caliber Sniper Weapon Regulation Act introduced by Senator FEINSTEIN. This bill would reclassify .50-caliber rifles under the National Firearms Act, NFA, treating them the same as other high-powered or especially lethal firearms like machine guns and sawed off shotguns.

Among other things, reclassification of .50-caliber sniper rifles under the NFA would subject them to new registration requirements. Future transfers or sales of .50-caliber sniper rifles would have to be conducted through a licensed dealer with an accompanying background check. In addition, the rifle being sold would have to be registered with Federal authorities. The additional requirements would help ensure that these dangerous weapons do not fall into the hands of potential terrorists or violent criminals.

We should recognize the extraordinary capabilities of .50-caliber sniper rifles and the danger they pose to our homeland security. I urge my colleagues to take up and pass the Fifty-Caliber Sniper Weapon Regulation Act to help protect our Nation from those who may wish to do us harm.

CHUCK LUDLAM

Mr. LIEBERMAN. Mr. President, I rise to express my gratitude and, truly, this country's gratitude, to Chuck Ludlam of my staff, for his 33-year career in government service and public policy. He's retiring on June 24, 40 years to the month after his first job on Capitol Hill as a ''Stanford in Government'' intern in the House of Representatives.

Thomas Jefferson once asked the question: What duty does a citizen owe to the government that secures the society in which he lives?

Answering his own question, Jefferson said: ''A nation that rests on the will of the people must also depend on individuals to support its institutions if it is to flourish. Persons qualified for public service should feel an obligation to make that contribution.''

Chuck has answered that call—a call as old as our Republic—with dedicated service to our Nation and continued service to our world.

Chuck began his public service as a Peace Corps volunteer in Nepal in 1968–1970. After his Senate retirement, he and his wife, Paula Hirschoff, also a 1960's Peace Corps volunteer, in Kenya, will serve again as Peace Corps volunteers, in Senegal. This full circle expresses well their commitment to service.

The professionalism and accomplishments of congressional staff are often unsung and even unappreciated. While it is difficult to summarize a career as varied and distinguished as Chuck's, let me touch on a few highlights.

I have known Chuck since I arrived in the Senate in 1989, and he has served as my economic counsel since 2001. Following the anthrax attack on the Senate in October 2001, Chuck went to work on biodefense and infectious disease policy issues. BioShield I, enacted last July, was in significant part due to his work, and he has now helped Senator HATCH, Senator BROWNBACK, and me fashion BioShield II, S. 975, a visionary tour de force on the full range of issues we must address to prepare for a bioterror attack or infectious disease outbreak. This bill provides a prescription for how to prepare ourselves for these threats to our national health and well being. Now it is incumbent on us to enact it. It is hard to describe the importance to our country of moving this legislation. It is an area of extreme future risk not only for ourselves but for all nations. Chuck developed a profound view of what must be done to deter this nightmare, a nightmare not only of bio attacks but of infectious disease in general, and has been relentlessly pressing this problem and its solutions onto our national policy agenda since 2001. It has been an exceptionally dedicated and unique legislative effort and it underscores the kind of remarkable role talented and driven Senate staff like Chuck can play assisting Senator policymakers.

Chuck had a long and very special working education that has enabled him to serve in this Senate policy-developer role. Before his service in my office, Chuck served as chief tax counsel on the Senate Small Business Committee, 1985–1993, with Senator Dale Bumpers; as legal counsel on the Joint Economic Committee, 1982–1985, with Congressman Gillis Long; as legal counsel on the Carter White House Domestic Policy Staff, 1979–1981, working with Si Lazarus and Stu Eizenstat; as counsel to the Subcommittee on Administrative Practice and Subcommittee on Separation of Powers of the Senate Judiciary Committee, 1975–1979, with Senator James Abourezk; and as a trial attorney in the Bureau of Consumer Protection of the Federal Trade Commission, 1972–1975. In addition, he served as vice president for Government Relations, Biotechnology Industry Organization, 1993–2000, and Counsel, Musick, Peeler and Garrett, 1981–1982).

During his long career on Capitol Hill, Chuck has brought his strong talents to bear on a wide range of legislative issues. While on my staff, these ranged from Federal fiscal responsibility and honest government accounting, S. 1915; to building assets for the poor, S. 476; to promoting U.S.-China educational and cultural engagement; S. 1117; to U.S. economic competitiveness policy, S. 2747; and, as I mentioned, to enacting Project BioShield, Public Law 108–276.

Long before joining me, Chuck worked to establish the Office of Senate Legal Counsel, Public Law 95–521; to defeat problematic Airline Noise legislation in 1978; to enact the first law on the subject of organizational conflict of interest, Public Law 95–70; to enact the Regulatory Flexibility Act, Public law 96–354; to save the tax exemption for the bonds for non-profit hospitals and schools, Public Law 97–248; enact the Patent Reform Act of 1999, Public Law 106–113; to enact the first law banning genetic discrimination, Public Law 104–191; to make permanent the Orphan Drug Tax Credit, Public Law 104–188 and 105–34; and to

defeat attempts to criminalize some stem cell research in 1997–1998.

We know Chuck to be a passionate and tenacious advocate, a dedicated mentor to the talented legislative fellows who have worked for him, an adventurer who continues to trek over some of the most forbidding and fascinating parts of the planet, a loyal friend to many in our office, someone who is always searching for the ''big idea-big picture'' as a visionary policy developer, and a generous human being with a sense of humor. As a Congressional Staffer, he has always kept his focus on the public interest, undistracted by partisan concerns, and I found I could always count on hearing his frank and perceptive perspective on what would be the right policy for the country.

Chuck is completing an oral history of his unusual and remarkable Senate career, based on interviews with the Office of the Senate Historian, which has been transcribed and will be available on line. This history describes the challenges, skills and tactics of a Capitol Hill staffer who has fought in the political trenches over forty years.

Chuck hopes that this history will encourage young people to consider careers in public service. He's served as the principal advisor and mentor for 25 years to the ''Stanford in Government'' program. He was one of 100 alumni awarded medallions to honor their service to Stanford University during centennial celebrations of the University's founding in 1991; the headquarters for ''Stanford in Government'' at the Haas Center for Public Service is named after him.

We wish Chuck and Paula well in their venture in Africa. We will miss Chuck in the office but we know that he's following one of his great dreams, and starting on a remarkable and courageous new round of public service. My office and I are grateful for his dedicated service to our office, to the Senate, and to our Nation, as well as for his friendship.

Somewhere right now Jefferson and our Founding Fathers are looking down and smiling proud that our Nation still produces men and women like Chuck and Paula.

Congratulations Chuck. Keep in touch and keep teaching us. We eagerly await your reports from Africa.

ADDITIONAL STATEMENTS

NEW MEXICO JUNIOR COLLEGE BASEBALL TEAM

• Mr. BINGAMAN. Mr. President, I rise today to congratulate the New Mexico Junior College baseball team from Hobbs, NM on winning the 2005 National Junior College World Series. This is a tournament that involves baseball teams from junior colleges across the United States. The Thunderbirds swept to the national title with a perfect record of 5–0 in tournament play. Their hard work and dedication is a perfect example of what is takes to win a national championship. This is the first national championship in New Mexico Junior College history.

I would also like to recognize Coach Ray Birmingham for winning the Coach of the Year award, his seventh in 15 years. The loyalty that Coach Birmingham engenders in his players is both heart-warming and inspiring. Several of Coach Birmingham's players won awards as well. Among the outstanding honors were Renny Osuna, who was chosen for the Preston Walker MVP Award; Brian Flores, who was selected as Outstanding Pitcher; and Corey Zimmerman, who was named as Best Defensive Player.

Mr. President, fans lined the streets in Lovington and Tatum as the bus carrying the team passed through. A large group of proud supporters met the team when the bus rolled onto the campus in Hobbs on Monday. It was that kind of community support, along with the determination, skill and work ethic of the team, that swept the Thunderbirds to victory. I congratulate New Mexico Junior College on its great accomplishment.•

HONORING MARY BARDEN

• Mr. CHAFEE. Mr. President, I rise today to pay special tribute to Mary Barden, as she is recognized for her scholastic achievements on National History Day.

Mary, a student at Coventry High School in Coventry, RI, was one of 17 students chosen out of a half million across America, to display and present her history project at the Smithsonian's National Museum of American History. Mary's project is titled ''Cesar Chavez: Understanding the Chicano Farmworkers Need for Justice.'' The National History Day program allows students to create exhibits, documentaries, and performances, by using their critical thinking and research skills in the subject of history.

I strongly support the National History Day program. A basic knowledge of history is essential for our Nation's children to become informed participants in our democracy, and this national observance promotes history education in Rhode Island and throughout the Nation. This year, National History Day celebrates its 25th anniversary as a national organization.

I congratulate Mary as she is honored for her presentation, and commend her for her dedication and commitment. I join with the citizens of Rhode Island in wishing Mary well in all her future endeavors.•

100TH ANNIVERSARY OF TOLLEY, NORTH DAKOTA

• Mr. CONRAD. Mr. President, today I honor a community in North Dakota that is celebrating its 100th anniversary. On June 26, the residents of Tolley, ND, will celebrate a proud history.

Tolley is a small town in the northwest part of the State, with a population of 41. Despite its size, Tolley holds an important place in North Dakota's history. It was founded in 1905 by Eli C. Tolley, a prominent developer and official with the Soo Line Railroad Company. As one report from the period indicates, people were so excited to start the town that they moved in 15 buildings without even having purchased lots on which to place them. Soon after, rail lines were laid through Tolley, and the town began to prosper. Within a year and a half, the residents of Tolley had built general stores, blacksmiths, restaurants, hotels, churches, and hardware stores.

Through the years, Tolley has exemplified true North Dakota perseverance. Despite suffering from a scarcity of water, countless fires, and outbreaks of smallpox and the Spanish flu, the people of Tolley have always remained loyal to this great community. During World War I, many of the men left their families and farms to fight for our country. Sadly, many did not return, yet the community remained strong. In 1920, the boys high school basketball team held its first practice, and in 1921 the homes and businesses in Tolley were lit by electricity for the first time. In 1951, through the generous efforts of local residents, the first organized fire department began serving the community. These stories from the history of Tolley serve as a remarkable example of ingenuity and perseverance for all of us.

I ask the U.S. Senate to join me in congratulating Tolley, ND, and its residents on their first 100 years and in wishing them well through the next century. By honoring Tolley and all the other historic small towns of North Dakota, we keep the pioneering frontier spirit alive for future generations. It is places such as Tolley that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Tolley has had a proud past and a bright future.•

125TH ANNIVERSARY OF AMENIA, NORTH DAKOTA

• Mr. CONRAD. Mr. President, today I honor a community in North Dakota that is celebrating its 125th anniversary. On June 10 and 11, the residents of Amenia, ND, celebrated their community's founding.

Amenia is a small town in the eastern part of North Dakota, with a population just under 100. Despite its size, Amenia holds an important place in the State's history. Amenia in 1880 when the Northern Pacific Railroad established a station and a settlement grew around it. Eban Chaffee of the Amenia Sharon Land Co., on whose home the station was actually built, called the new settlement Amenia.

The post office was established on January 20, 1880, and Edwin McNeil became the first postmaster of the newly

formed community. At a special election held December 27, 1927, the village of Amenia was incorporated by a vote of 14 to 1. The Amenia Sharon Land Co. rigidly controlled Amenia until it disbanded in 1928 and as a result the townsite was not platted until late in 1928. In 1967, Amenia officially became a city.

The word Amenia comes from the Latin word meaning pleasant and today that is more appropriate than ever. Amenia now has a city park, a bar and grill, a city beauty shop and an elevator. Under the leadership of Mayor Donna Myers, Amenia remains a delightful community in which to live and work.

I ask the U.S. Senate to join me in congratulating Amenia, ND, and its residents on their first 125 years and in wishing them well in the future. By honoring Amenia and all the other historic small towns of North Dakota, we keep the great tradition of the pioneering frontier spirit alive for future generations. It is places such as Amenia that have helped to shape this country into what it is today, which is why Amenia is deserving of our recognition.

Amenia has a proud past and a bright future.●

125TH ANNIVERSARY OF LISBON, NORTH DAKOTA

● Mr. CONRAD. Mr President, today I honor a community in North Dakota that is celebrating its 125th anniversary. On June 16–19, 2005, the residents of Lisbon, ND will celebrate its history and founding.

Lisbon is a small town in the southeast part of North Dakota, with a population of about 2,500. Lisbon's history began in 1880 when Joseph L. Colton founded the town-site. Colton selected land here in 1878 and built a flourmill. The new town-site was platted on both sides of the beautiful Sheyenne River at the foot of its bordering hills. In September 1880, he laid out the official town-site and appointed the first postmaster, George Murray on January 23, 1880. His wife, Diana Robinson was from Lisbon Center, NY, and the city was named for that.

Lisbon became the county seat in 1881, and the Northern Pacific Railroad reached the site in 1882. It was incorporated as a city in 1883, and G.B. Green was appointed the first mayor of the new budding community. Less than a decade later, in 1891, the North Dakota Soldiers Home was built in Lisbon. Throughout the following years, Lisbon maintained steady growth developing into the delightful community that it is today.

Today, Mayor Morris Saxerud leads this enthusiastic community. The citizens of Lisbon enjoy fine recreation including an exceptional nine-hole golf course, a beautiful park with tennis courts, a ball park, an RV park, a gazebo, swings for youngsters and even a swimming pool. The Lisbon elementary, middle and high school system maintain a high academic program with outstanding teachers, administrators and support staff for approximately 750 students. The city has clearly flourished throughout the past 125 years!

I ask the U.S. Senate to join me in congratulating Lisbon, ND, and its residents on their first 125 years and in wishing them well through the next century. By honoring Lisbon and all the other historic small towns of North Dakota, we keep the great tradition of the pioneering frontier spirit alive for future generations. It is places such as Lisbon that have helped to shape this country into what it is today, which is why the community of Lisbon is deserving of our recognition.

Lisbon has a proud past and a bright future.●

TRIBUTE TO MAJOR GENERAL BARBARA C. BRANNON, UNITED STATES AIR FORCE NURSE CORPS, ON THE OCCASION OF HER RETIREMENT

● Mr. INOUYE. Mr. President, today I wish to recognize a great American and a true military heroine who has honorably served our country for over 30 years in the U.S. Air Force Nurse Corps: MG Barbara C. Brannon. Major General Brannon began her career as a staff nurse in the Intensive and Coronary Care Unit at Malcolm Grow Medical Center, Andrews Air Force Base, MD, and subsequently served throughout the world in Nebraska, California, Texas, Florida, Alabama, England, Wyoming, Oklahoma, Italy, and the District of Columbia.

In each assignment, General Brannon excelled and overcame every challenge, accompanied by reward with greater responsibilities and opportunities. An expert educator and clinician, she assumed instructor and coordinator positions at the School of Health Care Sciences and in aeromedical evacuation, and served as assistant chief nurse, quality assurance coordinator, and director of ambulatory services at Tyndall AFB, FL. Serving as a nurse executive management fellow at Air University Regional Hospital, Maxwell AFB, AL, prepared her to lead the 7520th Air Base Squadron Medical Aid Station in Wycombe, England. Another unmatched performance led to her competitive selection as the nursing executive management fellow for the Office of the Surgeon, Strategic Air Command, Offutt AFB, NE, and was followed by her selection as the chief nurse executive, 90th Medical Group, Francis E. Warren AFB, WY.

Below-the-zone promotions to both lieutenant colonel and colonel illuminated her path to command the 382nd Technical Training Squadron, Sheppard AFB, TX, the 71st Medical Group, Vance AFB, OK and the 31st Medical Group, Aviano Air Base, Italy. She was later appointed as the director, Air Force Medical Readiness and Nursing Services, Office of the Surgeon General, Bolling AFB, DC. Serving briefly in this capacity, she returned to Andrews AFB where she became the first Nurse Corps officer to command the 89th Medical Group, concurrently served as the Assistant Air Force Surgeon General for Nursing, and became the first Air Force nurse promoted to major general in 2003.

Her career culminates in a dual role as Assistant Air Force Surgeon General, Medical Force Development and Assistant Air Force Surgeon General for Nursing, through which she established and appraised personnel policy and force development actions for over 40,000 active duty officer, enlisted, and civilian medical personnel. I extend my deepest appreciation to Major General Brannon for her 30-plus years of dedicated military service and offer her my congratulations on a phenomenal and inspirational career.●

HONORING THE COMMUNITY OF BRIDGEWATER, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, I rise today to honor and publicly recognize the 125th anniversary of the founding of the city of Bridgewater, SD. In addition to celebrating our nation's independence, we are called today to commemorate 125 years of Bridegewater's proud history.

Like many towns in South Dakota, the railroad played an influential role in the founding of Bridgewater. In early 1880, Bridgewater received its original name, Nation City, from the first settlers and townsite owners, Robert and John B. Nation. In late November of that year, however, the town's first train depot was built to accommodate the Chicago, Milwaukee and St. Paul Railroad, and the town's name changed from Nation City to Bridgewater. In fact, it was the rail workers who ultimately renamed the city, having been forced to carry their drinking water across a bridge near town.

One of early Bridgewater's unique traditions was the chatauqua, a summer festival under a tent loaded with singers, bands, orchestras, lectures, and plays. Adults paid $2 and children $1.10 for an entire week of star-studded, cultural entertainment. While this yearly ritual was a town favorite, it quickly lost popularity once roads and cars were improved and movies became more accessible. Unfortunately, Bridgewater's last chatauqua ended prematurely, as a cyclone hit and interrupted the festivities.

Bridgewater's first newspaper, the Times, was established in 1880 by Adin F. Terrill. The publication lasted for about 10 years, until it merged with the Bridgewater Brieflet in 1890 and was renamed the Bridgewater Tribune, which still exists to this day.

One of Bridgewater's notable landmarks is the city park. Created in 1960 with the help of the Green Thumb organization, the park came to fruition following the purchase of four acres of

J.J. Bollinger's property. This community park, a cherished Bridgewater amenity, is host to countless family picnics and outdoor activities.

In the twelve and a half decades since its founding, Bridgewater has provided its citizens with a rich and diverse atmosphere. Bridgewater's 600 proud residents will celebrate the town's 125th anniversary on July 4, 2005, and it is with great honor that I share with my colleagues this community's unique past.●

HONORING THE CITY OF SALEM, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, I rise today to honor and publicly recognize the 125th anniversary of the city of Salem, SD. I would like to recognize this outstanding prairie community as an example of the extraordinary work ethic and perseverance of the remarkable people all across the state of South Dakota.

Salem, the county seat of McCook County in southeastern South Dakota, was named by Oliver S. Pendar. Pendar, the town's first postmaster, named the town for his former home of Salem, Massachusetts. Pendar first moved to McCook County in 1878 and eventually settled in Salem in 1880. Platted in July of that year, Salem's location was chosen by the railroad companies, as it provided an excellent spot for trains to stop and reload supplies as they made their way west. The town was incorporated in 1885, which is the same year residents chose W.D. Roberts as Salem's first mayor.

Early Salem experienced a great deal of economic prosperity during the peak railroad years of the late nineteenth century. The town grew rapidly in its first decade and boasted a number of businesses, including several hotels, a lumberyard, a furniture store, several banks, real estate brokers, livery barns, and other services vital to a growing community on the frontier.

At its zenith, Salem was home to five fine hotels, including the Lewis House, the Commercial Hotel, the Irish House of Parliament, the Depot Hotel, and the Lucerne, all of which flourished during the railroad years. Sadly, many of these hotels have come and gone, but their legacy remains.

Salem's first school, a two-story frame building located on the site of the present high school, was built by J.E. Miller in 1881 and opened in 1882. The first floor consisted of county administrative offices and classrooms. The building's second floor accommodated church services, a courthouse, and a public hall.

Since its founding, Salem has been home to three newspapers, the first of which was the Pioneer Register, started by Mr. Jonas Rutan in 1880. In 1883, Mr. C.F.M. Schenckler established Salem's second paper, the McCook County News, which Mr. J.E. Patten purchased three years later and renamed the Salem Special. This semi-weekly paper, published on Wednesdays and Saturdays, kept the community informed of important events in the area.

Through the years, the residents of Salem have demonstrated great flexibility and perseverance in their ability to flourish despite overwhelming heartbreak. Since Salem's founding in the late nineteenth century, the town experienced several destructive fires and floods, destroying grain elevators, hundreds of homes, and numerous businesses. Still, this resilient community always managed to recover, rebuild and prosper.

The pioneer men and women of early Salem also exhibited a remarkable propensity for using the resources and riches of the frontier to make a wonderful life for themselves on the plains of the Dakotas. Richard F. Kneip was a local milk equipment businessman who went on to serve as Governor of South Dakota, and later as Ambassador to Singapore. The sense of community, moral fortitude, perseverance, and enduring work ethic that is evident in the people and the history of Salem, stands as a testament to the integrity of South Dakotans. It is my honor to acknowledge the proud residents of Salem, SD as they celebrate 125 years of vibrant history on July 2–4, 2005.●

TRIBUTE TO ANTHONY ATHANAS

● Mr. KERRY. Mr. President, today I recognize and celebrate the life of a great American and a gracious host to all who crossed his threshold, Mr. Anthony Athanas. Everyone in Massachusetts, along with restaurateurs and past patrons across the country, was saddened to learn of his passing earlier this month.

Today, however, I am honored to join with the countless people who were touched by his graciousness and charm in celebrating Anthony's unique American journey. Anthony Athanas came to the United States in 1915 to pursue a dream and through hard work and perseverance, along with his instinctual hospitality and keen business sense; Anthony came to embody that dream.

His entry into the world of restaurants was by way of working on lighting and the maintenance of stoves. With a rapidly growing love of the pace and hustle of the hospitality business, Anthony opened his first restaurant, ''Anthony of Hawthorn,'' in Lynn, MA, in 1937. This endeavor was quickly followed by four more restaurants; Hawthorne by the Sea, General Glover House, Anthony's Cummaquid Inn and Pier 4. Of the 5, Anthony's Pier 4, opened in 1963, would be his most famous and enduring.

Anthony's Pier 4 became famous for serving quality New England seafood to visitors from all over the world and by the late-1960's Anthony's Pier 4 was the port of call for movie stars, signers, performers of all sorts and athletes. Irrespective of name recognition or social standing, every guest received the same gracious reception from Anthony. To walk in his door was to be regarded and treated as someone special. This hospitable approach had practical applications as well, proven by the restaurant's ranking as the fifth most successful restaurant in the country in 1984.

The embrace he received from his peers in the restaurant community was complete and sustained. He received the Silver Plate Award from the International Foodservice Manufacturers Association, the Ivy Award of Distinction from Institutions/VFM Magazine, the Golden Door Award from the International Institute of Boston, the Restaurant of the Year Award in 1976 from the National Restaurant Association amongst many others.

The best business leaders in our country are people who not only excel in commerce but also embrace the larger needs of their community. Anthony embraced this notion with the same passion and determination that defined his professional life. He contributed time, energy and resources to preserving our national history at the USS Constitution Museum Foundation, reached out to other entrepreneurs through the Greater Boston Chamber of Commerce, brought comfort to suffering families through his work with the American Cancer Society, and helped create the next generation of restaurateurs through his support of the American Institute of Food and Wine.

Anthony breathed real life and meaning into the American Dream by not only maximizing its possibilities for him and his family but by expanding those very same opportunities for others.

The last time I walked into Anthony's Pier 4 I was greeted in the same way I have been for years; with a smile and handshake from a true gentleman. Anthony Athanas was a great man, one who sought the American Dream and through hard work and his love of people ended up defining it. We mourn his passing, but we are deeply grateful for his time on earth.●

ARIZONA STUDENT'S HISTORY PROJECT CHOSEN FOR WHITE HOUSE VISITOR'S DISPLAY

● Mr. KYL. Mr. President, I congratulate Miriam Strauss of Apache Middle School in Sierra Vista, AZ for her National History Day Project entitled, ''Franklin D. Roosevelt's Fireside Chats.'' Miriam's project, along with seven others from around the Nation, was chosen from among more than 2,000 finalists for presentation and display at the White House Visitor's Center on June 15, 2005. Her project was part of this year's National History Day theme, ''Communication: The Key to Understanding.'' The National History Day program includes half a million students in grades six through twelve in all 50 States and the District of Columbia, so the selection of Miriam's project for presentation is a

tremendous honor. I wish this budding historian the best of luck in the future.●

ANDREW IVY

● Mrs. MURRAY. Mr. President, I rise today to recognize Mr. Andrew Ivy, an exceptional history teacher and role model from Kirkland, WA. Mr. Ivy has been named Teacher of the Year by the Richard T. Farrell Teacher of Merit Award for outstanding success in teaching history. This national award is presented every year to an educator who develops and uses innovative and creative teaching methods that interest students in history and help them make exciting discoveries about the past. As a teacher at International Community School in Kirkland, WA, Mr. Ivy has shown exemplary commitment to making history education engaging and exciting, while involving his students in the National History Day Program.

National History Day is a yearlong program in which students explore historical topics related to an annual theme. Participants qualify for national competition after competing in several local and State competitions. In preparing his students for the program, Mr. Ivy's work ethic and research skills provided students with the tools necessary to be successful in competition.

Teachers like Mr. Ivy play an important role in education. By teaching about the nations past they keep our history a part of our current lives. When children question, and discuss our history, teachers are doing something profoundly patriotic; they are helping students understand who we are as a nation—the importance of our common heritage and the values that make us unique.

Andrew Ivy has proven exceptional. His drive to offer his students the best education possible has led him to invest a great deal of personal study in his curriculum. He regularly attends training classes to ensure that the material he teaches is accurate and current. Additionally, Mr. Ivy often tries new approaches to his teaching method in order to keep his classroom interested and challenged. His curriculum often changes to meet his very own high standards and his students greatly benefit from all of his efforts.

Mr. President, I find it heartening that there are educators in this country who devote so much time and effort to shaping the minds of our young people. I hope you and our colleagues will join me in recognizing Mr. Andrew Ivy for his dedication to educating the potential leaders of tomorrow.●

AMERICAN AMBULANCE ASSOCIATION STAR OF LIFE AWARD RECIPIENTS

● Mr. SMITH. Mr. President, I am pleased to rise today to announce seven Star of Life award recipients from the State of Oregon.

The Star of Life is awarded each year by the American Ambulance Association recognizing America's top paramedics.

The reliable responsiveness and medical and safety expertise performed by paramedics throughout the neighborhoods and communities of our country deserves high recognition and praise.

Paramedics are the first to respond to the urgent health and safety needs of our Nation's citizens, providing an invaluable contribution to our society. The men and women of this profession truly are dedicated to helping others as they perform a myriad of vital services from delivering babies to rescuing the lives of individuals in harm's way.

Mr. President, I would like to recognize the following Oregonians who received the 2005 Star of Life Award: Victor Hoffer, Elizabeth Fullmer, Greg Sorenson, Michael Beaulieu, Shelly Solum, David Landstrom, and Brett LaCroix.

I want to congratulate each of these individuals for their esteemed service and recognition in receiving this prestigious award.

Oregon is proud and privileged to call Victor, Elizabeth, Greg, Michael, Shelly, David and Brett its own.

These Star of Life award recipients exemplify their extraordinary performance among a profession that provides critical services to our communities and our Nation. I am most grateful for their service.●

TRIBUTE TO HAZEL HANON AND GRACE SIERS

● Mr. THUNE. Mr. President, today I rise in honor of two exceptional women. Hazel Hanon and Grace Siers, both of Britton, SD, are the last two active charter members of Marshall Post No. 3507 Ladies Auxiliary in Britton for the Veterans of Foreign Wars Lady Auxiliary.

Hazel, now 87 years old, joined for her husband and brother who both served during World War II in the U.S. Navy and Air Force respectively.

Grace, now 90 years old, has many family members who served in the military. Her husband served in World War I, and her three brothers in World War II. She has also had five sons, a grandson, and a granddaughter serve our country.

Hazel and Grace have devoted their time and energy to the group by holding banquets, selling poppies, and even compiling a dessert cookbook. It is a privilege for me to honor them today for their past dedication and their continuing support of our veterans of foreign wars.●

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–2626. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Republic of Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC–2627. A communication from the Chairman and President, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving exports to Qatar; to the Committee on Banking, Housing, and Urban Affairs.

EC–2628. A communication from the Deputy Secretary, Division of Market Regulation, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Regulation NMS'' ((RIN3235–AJ18) (Release No. 34–51808)) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2629. A communication from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for Housing/Federal Housing Commissioner, received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2630. A communication from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a vacancy in the position of President, Government National Mortgage Association, received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2631. A communication from the Assistant General Counsel (Banking and Finance), Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Terrorism Risk Insurance Program—Additional Claims Issues; Insurer Affiliates'' (RIN1505–AB09) received on June 8, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2632. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations (70 FR 29633)'' ((Docket No. FEMA–D–7571) (44 CFR 65)) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2633. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''List of Communities Eligible for the Sale of Flood Insurance (70 FR 21159)'' ((Docket No. FEMA–7776) (44 CFR 64)) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs

EC–2634. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility (70 FR 25787)'' ((Docket No. FEMA–7877) (44 CFR 64)) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2635. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility (70 FR 20299)'' ((Docket No. FEMA–7875) (44 CFR Part 64)) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2636. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations (70 FR 29637)'' (44 CFR

67) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2637. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations (70 FR 29638)'' (44 CFR 67) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2638. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations (70 FR 29639)'' (44 CFR 67) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2639. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations (70 FR 29634)'' (44 CFR 67) received on June 14, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–2640. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Child Welfare Outcomes 2002: Annual Report''; to the Committee on Health, Education, Labor, and Pensions.

EC–2641. A communication from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received on June 14 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–2642. A communication from the Chairman, International Trade Commission, transmitting, pursuant to law, the report of an investigation entitled ''The Impact of Trade Agreements Implemented Under Trade Promotion Authority''; to the Committee on Finance.

EC–2643. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Appeals Settlement Guidelines: Sports Industry Media Rights Acquired in Connection with a Sports Franchise'' (UIL: 167. 03–03) received on June 14, 2005; to the Committee on Finance.

EC–2644. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Charitable Contributions of Certain Motor Vehicles, Boats, and Airplanes'' (Notice 2005–44) received on June 14, 2005; to the Committee on Finance.

EC–2645. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Information for Notice 2003–47 and Announcement 2005–19, Executive Stock Option Transaction and Settlement Initiative'' (Announcement 2005–39) received on June 14 2005; to the Committee on Finance.

EC–2646. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 965—Limitations on Dividends Received Deductions'' (Notice 2005–38) received on June 14, 2005; to the Committee on Finance.

EC–2647. A communication from the Chief, Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''American Indian Livestock Feed Program'' (RIN0560–AH26) received on June 14, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2648. A communication from the Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Shark Quotas and Season Lengths'' ((RIN0648–AT07) (I.D. No. 020205F)) received on June 14, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2649. A communication from the Acting White House Liaison, Technology Administration, Department of Commerce, transmitting, pursuant to law, the report of a vacancy in the position of Under Secretary for Technology, received on June 14, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2650. A communication from the Acting White House Liaison, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a vacancy in the position of Under Secretary for International Trade, received on June 14, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2651. A communication from the Acting White House Liaison, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary and Director General, received on June 14, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2652. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's monthly report on the status of its licensing and regulatory duties; to the Committee on Environment and Public Works.

EC–2653. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''GEORGIA SIP: Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Georgia, Redesgination of Atlanta Severe 1-Hour Ozone Nonattainment Area to Attainment for Ozone; Maintenance Plan; Motor Vehicle Emission Budgets; Revisions to Rules for Air Quality'' (FRL No. 7924–7) received on June 14, 2005 to the Committee on Environment and Public Works.

EC–2654. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''GEORGIA SIP. 1-Hour Severe Ozone Nonattainment Area and Severe Area Vehicle Miles Traveled'' (FRL No. 7924–2) received on June 14, 2005; to the Committee on Environment and Public Works.

EC–2655. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''OHIO SIP. 1-Hour Ozone Standard for Ozone Maintenance'' (FRL No. 7925–3) received on June 14, 2005 to the Committee on Environment and Public Works.

EC–2656. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Dyes and/or Pigments, Production Waste; Land Disposal Restrictions for Newly Identified Waste; CERCLA Hazardous Substance Designation and Reportable Quantities'' (FRL No. 7924–9) received on June 14, 2005; to the Committee on Environment and Public Works.

EC–2657. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Waste Management System; Modification of the Hazardous Waste Manifest System; Correction'' (FRL No. 7925–1) received on June 14, 2005; to the Committee on Environment and Public Works.

EC–2658. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–2659. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–2660. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–2661. A communication from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting, pursuant to law, a report relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–2662. A communication from the Director, Federal Judicial Center, transmitting, pursuant to law, the Center's annual report for the 2004 calendar year; to the Committee on the Judiciary.

EC–2663. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Clarifying of Release Gratuities—Release Transportation Regulations to More Closely Conform to Statutory Provisions'' (RIN1120–AB21) received on June 14, 2005; to the Committee on the Judiciary.

EC–2664. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Over-The-Counter (OTC) Medications: Technical Correction'' (RIN1120–AB29) received on June 14, 2005; to the Committee on the Judiciary.

EC–2665. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Infectious Disease Management: Voluntary and Involuntary Testing'' (RIN1120–AB03) received on June 14, 2005; to the Committee on the Judiciary.

EC–2666. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Bureau of Prisons Emergencies'' (RIN1120–AB07) received on June 14, 2005; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LUGAR for the Committee on Foreign Relations.

*Jorge A. Plasencia, of Florida, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 2006.

*Jay T. Snyder, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2007.

*Christopher J. Hanley, of Maryland, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2006.

*Craig Roberts Stapleton, of Connecticut, to be Ambassador to France.

*Eduardo Aguirre, Jr., of Texas, to be Ambassador to Spain, and to serve concurrently and without additional compensation as Ambassador to Andorra.

*Roger Dwayne Pierce, of Virginia, to be Ambassador to Republic of Cape Verde.

*Donald E. Booth, of Virginia, to be Ambassador to the Republic of Liberia.

*Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta.

*Julie Finley, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

*Richard J. Griffin, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

*Robert Johann Dieter, of Colorado, to be Ambassador to Belize.

*Zalmay Khalilzad, of Maryland, to be Ambassador to Iraq.

*Rodolphe M. Vallee, of Vermont, to be Ambassador to the Slovak Republic.

*Pamela E. Bridgewater, of Virginia, to be Ambassador to the Republic of Ghana.

*Ann Louise Wagner, of Missouri, to be Ambassador to Luxembourg.

*Terence Patrick McCulley, of Oregon, to be Ambassador to the Republic of Mali.

Mr. LUGAR. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORD 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 Donald B. Clark and ending with Michael T. Fritz, which nominations were received by the Senate and appeared in the Congressional Record on January 24, 2005.

Foreign Service nominations beginning with Christine Elder and ending with Samantha Carl Yoder, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2005.

Foreign Service nominations beginning with Todd B. Avery and ending with John P. Yorro, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2005.

Foreign Service nominations beginning with Michael Hutchinson and ending with Marie Zulueta, which nominations were received by the Senate and appeared in the Congressional Record on April 4, 2005.

Foreign Service nominations beginning with Charles W. Howell and ending with Hector U. Zuccolotto, which nominations were received by the Senate and appeared in the Congressional Record on May 9, 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 an asterisk were reported with the recommendation that they be confirmed.)

Nominee: Craig R. Stapleton.

Post: Ambassador to France.

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.

Contributions, amount, date, and donee:

1. Self: $2,000, 7/17/03, Bush-Cheney '04; $25,000, 12/28/03, Bush/Cheney Victory 2004; $1,000, 2/13/04, John Graves for Congress; $1,000, 5/28/04, Friends of Jack Orchulli; $2,000, 5/28/04, Shays for Congress; $25,000, 6/21/04, RNC Presidential Trust; $500, 8/21/04, Republican Majority for Choice; $1,000, 9/15/04, Peter Coors for Senate; $2,000, 3/26/04, Simmons for Congress.

2. Spouse: Dorothy W. Stapleton $2,000, 8/19/03, Bush-Cheney '04; $1,000, 3/26/04, Simmons for Congress; $1,000, 8/13/04, Fed PAC; $1,000, 10/8/04, Coors for Senate.

3. Children and Spouses: Walker Stapleton $500, 9/24/02, Beauprez for Congress; $2,000, 8/20/03, Bush-Cheney '04; $1,000, 5/24/04, $500, 10/08/04, Coors for Senate.

4. Parents: Katharine H. Stapleton, $2,000, 8/20/03, Bush-Cheney '04.

5. Grandparents: No contributions.

6. Brothers and Spouses: Benjamin F. Stapleton III (Jane) $208, 10/13/04, Coburn for Senate; $208, 10/29/04, Coors for Senate; $500, 8/06/04, Udall for Congress; $1,000, 8/26/03, Bush-Cheney '04; $1,000, 6/15/04, Bush-Cheney '04; $1,000, 5/28/04, Shelby for Senate; $1,000, 8/04/04, Coors for Senate; $2,496, 10/13/04, Majority Fund For America's Future Committee.

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*Eduardo Aguirre, Jr., of Texas, to be Ambassador to Spain, and to serve concurrently and without additional compensation as Ambassador to Andorra.

Nominee: Eduardo Aguirre, Jr.

Post: United States Ambassador to Spain.

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.

Contributions, amount, date, and donee:

1. Self: $1,000, 01/2001, George W. Bush for President.

2. Spouse: Maria Teresa P. Aguirre: none.

3. Children and Spouses: Eduardo Aguirre, III: none; Maria Teresa Aguirre: none.

4. Parents: Eduardo L. Aguirre—deceased; Altagracia Reyes: none.

5. Grandparents: Juan Aguirre—deceased; Isabel Leon-Aguirre—deceased; Jose Reyes—deceased; Matilde Perez-Reyes—deceased.

6. Brothers and Spouses: Louise G. Aguirre: none; Anne Marie Aguirre: none.

7. Sisters and Spouses: none.

*Roger Dwayne Pierce, of Virginia, to be Ambassador to Republic of Cape Verde.

Nominee Roger Dwayne Pierce.

Post Praia, Cape Verde.

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.

Contributions, amount, date, and donee:

1. Self: 0.

2. Spouse: 0.

3. Children and Spouses: Lisa Marie Markel 0; Howard Markel 0; Christopher Pierce 0; Michael Pierce 0.

4. Parents: Reuben Pierce—Deceased; Ardieth Hamilton 0.

5. Grandparents: Claude Pierce—Deceased; Eugenia Pierce—Deceased; Lewis Davidson—Deceased; Willia Davidson—Deceased.

6. Brothers and Spouses: R. Darryl Pierce 0; Mark D. Pierce 0; Katherine S. Pierce 0.

7. Sisters and Spouses: Robin L. Pierce 0; Margo W. Pierce 0.

*Donald E. Booth, of Virginia, to be Ambassador to the Republic of Liberia.

Nominee: Donald E. Booth.

Post: Ambassador to Liberia.

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.

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse—Anita S. Booth: None.

3. Children and Spouses: Alison L. Booth, None; Peter R. Booth, None; David I. Booth, None.

4. Parents: John E. Booth, Deceased—None; Eileen R. Booth, Deceased—None.

5. Grandparents: Ernest Ford, Deceased—None; Lena Ford, Deceased—None; Edward Booth, Deceased—None; Margaret Booth, Deceased—None.

6. Brothers and Spouses: John L. Booth (step-brother) None; Tibby Booth, None.

7. Sisters and Spouses: Camilla Noyes (step-sister), None; George Noyes, None.

*Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta.

Nominee: Molly Hering Bordonaro.

Post: Ambassador to Malta.

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.

Contributions, amount, date, and donee:

1. Self: Molly Bordonaro—(see attached).

2. Spouse: Matthew Bordonaro—(see attached).

3. Children and Spouses: Brooke A. Bordonaro, No contributions (under 18); Coulter M. Bordonaro, No contributions (under 18).

4. Parents: J. Clayton Hering—see attached); Susan ''Sudee'' Hering, No contributions in the past four years.

5. Grandparents: Betty Boyd—(see attached); John Boyd—Deceased; Anita Hering—Deceased; Jack Hering—Deceased.

6. Brothers and Spouses: No Brothers.

7. Sisters and Spouses: Lisa Handley, No contributions; J.B. Handley, No contributions; Kristin Yaker, No contributions; James Yaker, No contributions.

Contribution, amount, date, and donee:

1. Molly H. Bordonaro, $250, 2/4/2005, Mike Simpson for Congress; $500, 3/4/2004, Friends of Gordon Smith; $250, 9/23/2004, Walden for Congress; $500, 3/8/2004, Craig Schelske for Congress; $300, 9/21/2000, Charles Starr for Congress; $1,000, 10/27/1999, Gordon Smith for U.S. Senate; $400, 11/15/2001, Gordon Smith for U.S. Senate; $1,000, 6/30/1999, George W. Bush for President; $250, 8/29/2000, Rick Lazio 2000; $1,000, 9/30/2003, Bush-Cheney '04' Primary; $1,000, 1/14/2004, Oregon Republican Party; $500, 6/28/2002, Gordon Smith Oregon Victory; $327, 8/30/2002, Gordon Smith Oregon Victory; $500, 6/28/2002, Gordon Smith for U.S. Senate.

2. Matthew Bordonaro, $790, 8/30/2000, George W. Bush for President; $627, 8/30/2002, Gordon Smith Oregon Victory; $627, 9/24/2002, Gordon Smith for U.S. Senate.

3. J. Clayton Hering, $1,000, 7/28/2004, Oregon Republican Party; $500, 9/30/2003, Jim

Zupancic for Congress; $250, 7/27/2004, Jim Zupancic for Congress; $250, 9/13/2004, Jim Zupancic for Congress; $250, 8/19/2002, Greg Walden for Congress; $1,000, 6/27/2003, Phillips for Congress; $250, 6/20/2002, Gordon Smith Oregon Victory; $1,000, 8/28/2002, Gordon Smith Oregon Victory; $250, 9/9/2004, Jim Feldkamp for Congress; $500, 6/30/2004, Jim Feldkamp for Congress; $500, 2/26/2004, Phillips for Congress; $300, 4/17/2004, Phillips for Congress; $2,000, 8/29/2003, Bush-Cheney '04 Primary.

4. Betty Boyd, $500, 1/26/2000, McCain 2000; $500, 1/11/2000, Bill Bradley For President.

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*Julie Finley, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

Nominee: Julie Finley.

Post: U.S. Ambassador to the O.S.C.E.

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.

Contributions, amount, date, and donee:

Self: $1,000, 7/04, John Thune for U.S. Senate; $4,000, 8/04, D.C. Republican Committee; $1,500, 6/04, D.C. Republican Committee; $2,500, 5/04, D.C. Republican Committee; $3,750, 5/04, Leadership Circle PAC; $2,000, 10/04, Bush-Cheney '04 Compliance Committee; $32,500, 9/04, 2004 Joint Candidate Committee II; $5,000, 9/03; D.C. Republican Committee; $1,000, 5/03, D.C. Republican Committee; $2,000, 6/03, Bush-Cheney '04 (Primary); $2,000, 10/03, Citizens for Arlen Specter; $25,000, 9/03, Republican National Committee; $1,000, 4/03, The Wish List; $1,000, 5/02, Alexander for Senate Inc., $5,000, 10/02, Dole North Carolina Victory Committee Inc.; $1,000, 10/02, Forrester Victory Committee; $500, 8/02, Friends of Connie Morella for Congress; $1,000, 5/02, The Wish List; $1,000, 10/02, John Thune for South Dakota; $1,000, 2/02, D.C. Republic Committee (Federal Account); $1,000, 3/02, Raye for Congress; $1,000, 7/02, Team Sununu; $1,000, 8/02, Norm Coleman for U.S. Senate; $1,000, 3/02, Dole 2002 Committee; $1,000, 8/02, Cole for Congress; $1,750, 10/02, The Wish List; $1,000, 5/02, Over-the-Hill PAC; $500 6/02, National Conservative Campaign Fund; $25,000, 3/02, RNC Republican National State Elections Committee; $500, 3/02, Johnson for Congress; $1,000, 3/02, Lindsey Graham for Senate; $1,000, 6/02, Friends of George Allen; $2,500, 10/01, New Jersey Republican State Committee; $500, 11/01, Greenwood for Congress; $500, 10/01, Friends of Katherine Harris; $1,000, 11/01, Norm Coleman for U.S. Senate; $1,000, 3/01, The Wish List; $500, 11/01, Hagel for Senate Committee; $1,000, 6/01, Forbes for Congress; $1,000, 11/01, Talent for Senate Committee; $1,000, 6/01, Cathy Keating for Congress; $5,000, 1/25/01, D.C. Republican Committee (RNC Republican, National state Elections Committee).

Spouse: William Thompson Finely, deceased.

Children/Sons: Benjamin E. Finley, II: $500, 6/04, Bill Manger for Congress, Inc.; $500, 9/4, Bill Manger for Congress, Inc.; $2,000, 6/03, Bush-Cheney '04.

Abner M. Finely: $2,000, 6/03, Bush-Cheney '04.

Parents: Joy Elizabeth Fairman Hamm, deceased; Edward Frederick Hamm, Jr., deceased.

Grandparents: Edward Frederick Hamm, deceased; Sarah Meek Hamm, deceased; Frederick Wilson Fairman, deceased; Florence Joys Fairman, deceased.

Brother and Spouses; Thornton Edward Hamm, none.

Sisters and Spouses: Martha Hamm Spencer, none; Harold R. Spencer, None.

*Richard J. Griffin, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

*Robert Johann Dieter, of Colorado, to be Ambassador to Belize.

Nominee: Robert Johann Dieter.

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.

Contributions, amount, date, and donee:

1. Self; 2. Spouse; 3. Children and Spouses Names: Information for 1.–3. is provided on the attached sheet.

4. Parents: Both parents deceased in 1970's.

5. Grandparents: All grandparents deceased prior to 1970.

6. Brothers and Spouses: No brothers.

7. Sisters and Spouses: Barbara L. Dieter, sister, not married; no contributions.

FEDERAL CAMPAIGN CONTRIBUTION REPORT—ROBERT JOHANN DIETER

JANUARY 1, 2001 TO MARCH 7, 2005

1. Self: Robert J. Dieter.

Amount, date, and donee:

$250, 3–3–01, Elect Francisco Committee; $100, 3–06–01, Boulder County Republicans; $2,500, 4–22–01, Bill Owens for Governor; $50, 5–05–01, Citizens for Bill Owens; $100, 8–28–01, Mike Francisco for Congress; $250, 9–17–01, Wayne Allard for U.S. Senate Committee; $750, 3–39–02, Wayne Allard for U.S. Senate Committee; $250, 4–09–02, Elect Francisco Exploratory Committee; $1,000, 4–24–02, Allard Leadership Committee; $350, 5–16–02, Bob Beauprez for Congress Committee; $250, 9–09–02, Bob Beauprez for Congress Committee; $500, 10–14–02, Bob Beauprez for Congress Committee; $100, 4–12–03, Beauprez for Congress; $2,000, 11–07–03, Bush-Cheney '04; $1,000, 11–14–03, Bob Beauprez for Congress Committee; $1,000, 11–10–03, Campbell for Colorado; $1,000 (refund), 5–03–04, Campbell for Colorado; $250, 1–18–04, Bob Beauprez for Congress Committee; $150, 1–27–04, National Republican Congressional Committee; $50, 2–03–04, Republican National Committee; $5,000, 6–04–04, Republican National Committee; $2,000, 6–14–04, Pete Coors for Senate; $2,000, 6–14–04, Pete Coors for Senate; $650, 6–28–04, Bob Beauprez for Congress Committee; $500, 9–15–04, Walcher for Congress; $50, 9–17–04, South Dakota Republican Party; $85, 10–18–04, Colorado Republican Committee; $150, 10–26–04, National Republican Congressional Committee; $500, 11–01–04, Walcher for Congress.

2. Spouse: Gwynneth A.E. Dieter.

Amount, date, and donee:

$75, 6–12–03, Republican National Committee; $2,000, 8–14–03, Bush-Cheney '04; $25, 4–01–04, Republican National Committee; $25, 5–02–04; Republican National Committee; $112, 9–15–04, Beauprez for Congress Committee; $1,000, 10–08–04, Pete Coors for Senate.

3. Children and spouses: Megan E. Dieter (not married); no contributions.

Alexis A. Dieter (not married):

Amount, date, and donee:

$2,000, 8–14–03, Bush-Cheney '04.

Nicholas D. Dieter (not married); no contributions.

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*Zalmay Khalilzad, of Maryland, to be Ambassador to Iraq.

Nominee: Zalmay M. Khalilzad.

Post: Iraq.

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.

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: None.

3. Children and Spouses: Cheryl C. Benard; Alexander Khalilzad Benard; Maximilian Khalilzad Benard.

4. Parents: Zahra Khalilzad: None; Khalilullah (deceased): None.

5. Grandparents (deceased): None.

6. Brothers and Spouses: David Khalilzad: None; Vicky Khalilzad: None; Tory Khalilzad: None.

7. Sisters and Spouses: Aziza Monawar: None; Malika Monawar: None; Ashan Monawar: None; Basima Khalilzad: None.

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*Rodolphe M. Vallee, of Vermont, to be Ambassador to the Slovak Republic.

Nominee: Rodolphe Meaker Vallee.

6. Political Contributions: List all financial contributions made by you, your spouse or other members of your immediate family, or any organization, corporation, or subsidiary thereof, in which you or your spouse has a controlling interest to any local, state or national party committee, to any individual candidate or to any multi-candidate committee during this calendar year and during the four preceding calendar years.

Contributions, amount, date, and donee:

1. Self: Rodolphe M. Vallee:

State contribution: $400, 07/11/01, Jim Douglas for Governor; $400, 05/20/02, Bruce Hyde for Auditor; $400, 07/12/03, Jim Douglas for Governor; $400, 08/12/04, Randy Brock for Auditor; $100, 09/18/04, Wendy Schroeder for State Representative; $200, 09/24/04, George Schiavone; $2,000, 01/30/04, Bill Cobey for Governor; $300, 08/30/04, Kate Purcell for VT Senate.

Federal contributions: ($1,000), 07/17/01, Jeffords for Vermont Committee; $2,020, 02/08/01, Republican National State Elections Committee; $2,020, 02/08/01, Republican National State Elections Committee; $3,000, 07/11/01, VT Republican Committee; $1,000, 10/15/02, Meub for Congress; $5,000, 09/16/02, VT Republican Committee; $1,500, 06/10/03, Bush-Cheney 04; $500, 06/30/03, Bush-Cheney 04; $10,000, 05/16/03, VT Republican Committee; $25,000, 05/19/04, Republican National Committee; $10,000, 02/17/04, VT Republican Committee; *$12,500, 08/02/04, RNC Joint State Victory Committee; *$25,000, 05/21/04, RNC Joint Candidate Committee; *$10,500, 08/02/04, RNC Joint Candidate Committee; $743.75, 08/24/04, Arizona Republican Party; $2,000, 08/02/04, BC–04 Compliance Committee; $1,468.75, 08/02/04, CO–03 Congressional Victory Committee; $2,000, 08/02/04, Friends of Mel Martinez; $1,468.75, 08/02/04, KY–04 Congressional Victory Committee; $1,468.75, 08/02/04, LA–03 Congressional Victory Committee; $1,468.75, 08/02/04, LA–07 Congressional Victory Committee; $297.50, 08/31/04, Maine Republican Party; $1,265, 08/24/04, Michigan Republican State Committee; $818.75, 08/18/04, Missouri Republican State Committee; $372.50, 08/31/04, Nevada Republican State Central Committee; $297.50, 08/27/04, New Hampshire Republican State Committee; $1,487.50, 08/24/04, Ohio Central & Executive Committee; $521.25, 08/24/04, Oregon Republican Party; $1,468.75, 08/02/04, PA–15 Congressional Victory.com; $2,008.75, 08/02/04; Republican Party of Florida; $521.25, 08/24/04, Republican Party of Iowa; $632.50, 08/18/04, Republican Party of Minnesota; $1,562.50, 08/02/04, Republican Party of Pennsylvania; $372.50, 08/02/04, Republican Party of West Virginia; $743.75, 08/02/04, Republican Party of Wisconsin; $1,468.75, 08/02/04, WA–05 Congressional Victory Committee; $1,468.75, 08/02/04, WA–08 Congressional Victory Committee; $408.75, 08/24/04, Washington State Republican Party; $1,468.75, 09/30/04, Bob Beauprez for Congress;

$1,468.75, 08/02/04, Max Burns for Congress; $2,000, 08/02/04, Richard Burr Committee; $446.25, 08/02/04, Arkansas State Committee; $2,000, 09/17/04, George Nethercutt for Senate; $1,468.75, 09/30/04, Randy Neugebauer Congressional Committee; $1,468.75, 08/02/04, Anne Northup for Congress; $1,468.75, 09/20/04, Jon Porter for Congress; $1,468.75, 08/02/04, Richard Renzi for Congress; $1,468.75, 09/29/04, Pete Sessions for Congress; $1,468.75, 09/29/04, Rob Simmons for Congress; $2,000, 08/02/04, John Thune for U.S. Senate; $2,000, 09/30/04, David Vitter for U.S. Senate; $1,468.75, 09/30/04, Heather Wilson for Congress.

*Joint Committee Contributions to Candidates also shown.

R.L. Vallee, Inc.: State contributions: $400, 07/12/01, Jim Douglas for Governor; $2,000, 02/27/01, Vermont Republican Party; $300, 08/07/02, Brian Dubie for Lt. Governor; $400, 05/20/02, Bruce Hyde for Representative; $400, 09/25/02, John V. LaBarge; $300, 08/07/02, Purcell for Senate; $300, 08/07/02, Friends of Scott Shumski; $300, 08/07/02, Diane Snelling for Senate; $300, 08/22/02, Cathy Voyer for Representative; $400, 07/02/03, Jim Douglas for Governor; $2,000, 05/15/03, Vermont Republican Committee; $400.00, 08/06/04, Randy Brock for Auditor.

Twin State Environmental, Inc.: State contributions: $400, 07/12/01, Jim Douglas for Governor; $2,000, 04/18/01, Vermont Republican Committee.

Twin State Holding, Inc.: State contribution: $2,000, 10/11/02, Franklin County Republican Committee; $400, 08/07/02, Bruce Hyde for Auditor; $400, 09/25/02, John V. LaBarge for Treasure; $300, 08/07/02, Purcell for Senate; $300, 08/07/02, Diane Snelling for Senate; $2,000.00, 12/16/03, Vermont Republican Party.

Verterre Group, Inc.: State contributions: $300, 08/07/02, Brian Dubie for Lt. Governor; $400, 05/20/02, Bruce Hyde for Treasurer; $400, 09/25/02, John V. LaBarge for Treasure; $300, 08/07/02, Purcell for Senate; $300, 09/30/02, Friends of Scott Shumski; $300 08/07/02, Diane Snelling for Senate; $300, 08/22/02, Cathy Voyer for Representative; $400, 07/05/03, Jim Douglas for Governor; $2,000, 05/15/03, Vermont Republican Party.

Twin State Fuels, Inc: State contributions: $400, 07/12/01, Jim Douglas for Governor.

Vallee Holdings, LLC: State contributions: $400, 07/12/01, Jim Douglas for Governor; $2,000, 07/12/01, Vermont Republican Party; $300, 08/22/02, Cathy Voyer for Representative; $2,000, 12/16/03, Vermont Republican Party.

2. Spouse: Denise Vallee: State contributions: $400, 07/11/01, Jim Douglas for Governor; $400, 05/20/02, Bruce Hyde for Treasurer; $300, 09/10/02, Diane Snelling for Senate; $400, 07/12/03, Jim Douglas for Governor; $400, 08/12/04, Randy Brock for Auditor; $300, 08/25/04, Kate Purcell for Senate; $100, 09/18/04, Wendy Schroeder for State Representative; $200, 09/24/04, George Schiavone; $300, 09/04/04, Diane Snelling for Senate.

Federal Contributions: ($1,000, 07/17/01, Jeffords for Vermont Committee; $2,500, 01/09/01, Vermont Republican Committee; $1,000, 10/01/02, John Sununu (Team Sununu); $5,000, 09/16/02, Vermont Republican Committee; $2,000, 06/10/03, Bush-Cheney '04; $10,000, 01/09/03, Vermont Republican Committee; $2,000, 10/20/04, Bush-Cheney '04 Compliance; $25,000, 09/22/04, National Republican Committee; $10,000, 10/19/04, Vermont Republican Committee; *$12,500, 09/16/04, RNC Joint State Victory Committee; *$35,500, 09/17/04, RNC Joint Candidate Committee; $1,075, 09/15/04, LA–03 Congressional Victory Committee; $1,075,09/15/04, LA–07 Congressional Victory Committee; $1,265, 10/04/04, Michigan Republican State Committee; $818.75, 10/01/04, Missouri Republican State Committee-Federal; $372.50, 10/07/04, Nevada Republican State Central Committee; $1,487.50, 10/04/04, Ohio State Central & Executive Committee; $743.75, 10/01/04, Republican Party of Arizona; $1,562.50, 09/30/04, Republican Federal Com. of Pennsylvania; $2,008.75, 09/15/04, Republican Party of Florida; $521.25, 09/15/04, Republican Party of Iowa; $297.50, 09/15/04, Republican Party of Maine; $632.50, 10/01/04, Republican Party of Minnesota; $297.50, 09/15/04, Republican Party of New Hampshire; $521.25, 09/15/04, Republican Party of Oregon; $743.75, 09/15/04, Republican Party of Wisconsin; $1,075, 09/15/04, WA–05 Congressional Victory Committee; $1,075, 09/15/04, WA–08 Congressional Victory Committee; $408.75, 10/04/04, Washington State Republican Party; $372.50, 10/04/04, WV Republican State Executive Committee; $1,075, 10/29/04, Roy Ashburn Congress Committee; $2,000, 11/02/04, Richard Burr Committee; $2,000, 11/24/04, Thomas Coburn for Senate Committee; $1,075, 10/18/04, Geoffrey Davis for Congress; $1,075, 09/15/04, Charlie Dent; $1,075, 11/22/04, Larry Diedrich for Congress; $446.25, 10/15/04, Arkansas State Committee; $1,075, 10/15/04, Michael Fitzpatrick for Congress; $1,075, 10/15/04, Jeff Fortenberry; $1,075, 11/01/04, Jim Gerlach for Congress Committee; $1,075, 10/17/04, Louis Gohmert for Congress Committee; $1,075, 09/15/04, Kobach for Senate; $2,000, 09/25/04, Friends of Mel Martinez; $1,075, 11/01/04, Nancy Naples for Congress; $2,000, 11/02/04, George Nethercutt for Senate; $1,075, 09/15/04, Ted Poe; $1,075, 11/02/04, Jon Porter for Congress; $1,075, 11/02/04, Rick Renzi; $1,075, 09/17/04, John Swallow for Congress, Inc.; $2,000, 11/01/04, John Thune for U.S. Senate; $2,000, 09/17/04, David Vitter for U.S. Senate; $1,075, 09/17/04, Greg Walcher for Congress; $1,075, 10/25/04, Arlene Wohlgemuth for Congress.

*Joint Committee Contributions to Candidates also shown.

3. Children and Spouses:

4. Names: Theodore Vallee (son), Charlie Vallee (son), (no contributions).

5. Parents: Rodolphe J. Vallee (father): State contributions: $400, 08/01/02, Jim Douglas for Governor; $250, 05/25/04, Jim Douglas for Governor.

Federal contributions: $1,000, 06/19/03, Bush-Cheney '04; $1,000, 01/20/04, Bush-Cheney '04.

Elizabeth Vallee (mother): State contributions: $400, 10/07/02, Jim Douglas for Governor; $400, 05/24/04, Jim Douglas for Governor.

Federal contributions: $1,000, 06/19/03, Bush-Cheney '04; $500, 08/27/03, Bush-Cheney '04; $500, 01/20/04, Bush-Cheney '04.

Mitchell Mack (father in-law): State contributions: $25, 04/15/02, Committee to Elect Sara H. Tice; $200, 10/10/02, Vinroot for Governor; $25, 01/18/03, Karen Ray for State Representative; $100, 07/01/04, Committee to elect Sara H. Tice.

Dolores Mack (mother in-law): No contributions.

6. Grandparents: Grandmother Ruth White, deceased; Grandfather Robert White, deceased; Grandmother Shirley Vallee, deceased; Grandfather Rodolphe L. Vallee, deceased.

7. Brothers and Spouses: Timothy Vallee (brother): State contributions: $400, 08/22/02, Jim Douglas for Governor; $400, 08/12/04, Jim Douglas for Governor; $200, 10/18/04, Brian Dunsmore Election Committee.

Federal contributions: $2,000, 01/20/04, Bush-Cheney '04; $1,000, 09/10/04, Bush-Cheney '04 Compliance Committee, Inc.

Lynn Vallee (sister-in-law): State contributions: $200, 09/18/04, Randy Brock for Auditor; $400, 08/12/04, Jim Douglas for Governor.

Federal contributions: $2,000, 06/16/03, Bush-Cheney '04.

8. Sisters and Spouses (no contributions): Amy Norris (sister), Kevin Norris (brother in-law); Lisa Driver (sister), Jim Driver (brother in-law); Andrea Dukas (sister), Tom Dukas (brother in-law).

Nominee: Rodolphe M. Vallee.

Post: Ambassador to the Slovak Republic.

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.

Contributions, amount, date, and donee:

1. Self: Federal contributions: ($1,000, 07/17/01, Jeffords for Vermont Committee; $2,020, 02/08/01, Republican National State Elections Committee; $2,020, 02/08/01, Republican National State Elections Committee; $3,000, 07/11/01, VT Republican Committee; $1,000, 10/15/02, Meub for Congress; $5,000, 09/16/02, VT Republican Committee; $1,500, 06/10/03, Bush-Cheney 04; $500, 06/30/03, Bush-Cheney 04; $10,000, 05/16/03, VT Republican Committee; $25,000, 05/19/04, Republican National Committee; $10,000, 02/17/04, VT Republican Committee; *$12,500, 08/02/04, RNC Joint State Victory Committee; *$25,000, 05/21/04, RNC Joint Candidate Committee; *$10,500, 08/02/04, RNC Joint Candidate Committee; $743.75, 08/24/04, Arizona Republican Party; $2,000, 08/02/04, BC–04 Compliance Committee; $1,468.75, 08/02/04, CO–03 Congressional Victory Committee; $2,000, 08/02/04, Friends of Mel Martinez; $1,468.75, 08/02/04, KY–04 Congressional Victory Committee; $1,468.75, 08/02/04, LA–03 Congressional Victory Committee; $1,468.75, 08/02/04, LA–07 Congressional Victory Committee; $297.50, 08/31/04, Maine Republican Party; $1,265, 08/24/04, Michigan Republican State Committee; $818.75, 08/18/04, Missouri Republican State Committee; $372.50, 08/31/04, Nevada Republican State Central Committee; $297.50, 08/27/04, New Hampshire Republican State Committee; $1,487.50, 08/24/04, Ohio Central & Executive Committee; $521.25, 08/24/04, Oregon Republican Party; $1,468.75, 08/02/04, PA–15 Congressional Victory Com.; $2,008.75, 08/02/04, Republican Party of Florida; $521.25, 08/24/04, Republican Party of Iowa; $632.50, 08/18/04, Republican Party of Minnesota; $1,562.50, 08/02/04, Republican Party of Pennsylvania; $372.50, 08/02/04 Republican Party of West Virginia; $743.75, 08/02/04, Republican Party of Wisconsin; $1,468.75, 08/02/04, WA–05 Congressional Victory Committee; $1,468.75, 08/02/04, WA–08 Congressional Victory Committee; $408.75, 08/24/04, Washington State Republican Party; $1,468.75, 09/30/04, Bob Beauprez for Congress; $1,468.75, 08/02/04, Max Burns for Congress; $2,000, 08/02/04, Richard Burr Committee; $446.25, 08/02/04, Arkansas State Committee; $2,000, 09/17/04, George Nethercutt for Senate; $1,468.75, 09/30/04, Randy Neugebauer Congressional Committee; $1,468.75, 08/02/04, Anne Northup for Congress; $1,468.75, 09/20/04, Jon Porter for Congress; $1,468.75, 08/02/04, Richard Renzi for Congress; $1,468.75, 09/29/04, Pete Sessions for Congress $1,468.75, 09/29/04, Rob Simmons for Congress; $2,000, 08/02/04, John Thune for U.S. Senate; $2,000, 09/30/04, David Vitter for U.S. Senate; $1,468.75, 09/30/04, Heather Wilson for Congress.

*Joint Committee Contributions to Candidates also shown.

2. Spouse: Denise Vallee: Federal contributions: ($1,000) 07/17/01, Jeffords for Vermont Committee; $2,500, 01/09/01, Vermont Republican Committee; $1,000, 10/01/02, John Sununu (Team Sununu); $5,000, 09/16/02, Vermont Republican Committee; $2,000, 06/10/05, Bush-Cheney '04; $10,000, 01/09/03, Vermont Republican Committee; $2,000, 10/20/04, Bush-Cheney '04 Compliance; $25,000, 09/22/04, National Republican Committee; $10,000, 10/19/04, Vermont Republican Committee; *$12,500, 09/16/04, RNC Joint State Victory Committee; *$35,500, 09/17/04, RNC Joint Candidate Committee; $1,075, 09/15/04, LA–03 Congressional Victory Committee; $1,075, 09/15/04, LA–07 Congressional Victory Committee; $1,265, 10/04/04, Michigan Republican State Committee; $818.75, 10/01/04, Missouri Republican State Committee-Federal; $372.50, 10/07/04, Nevada

Republican State Central Committee; $1,487.50, 10/04/04, Ohio State Central & Executive Committee; $743.75, 10/01/04, Republican Party of Arizona; $1,562.50, 09/30/04, Republican Federal Com. of Pennsylvania; $2,008.75, 09/15/04, Republican Party of Florida; $521.25, 09/15/04, Republican Party of Iowa; $297.50, 09/15/04, Republican Party of Maine; $632.50, 10/01/04, Republican Party of Minnesota; $297.50, 09/15/04, Republican Party of New Hampshire; $521.25, 09/15/04, Republican Party of Oregon; $743.75, 09/15/04, Republican Party of Wisconsin; $1,075, 09/15/04, WA–05 Congressional Victory Committee; $1,075, 09/15/04, WA–08 Congressional Victory Committee; $408.75, 10/04/04, Washington State Republican Party; $372.50, 10/04/04, WV Republican State Executive Committee; $1,075, 10/29/04, Roy Ashburn Congress Committee; $2,000, 11/02/04, Richard Burr Committee; $2,000, 11/24/04, Thomas Coburn for Senate Committee; $1,075, 10/18/04, Geoffrey Davis for Congress; $1,075, 09/15/04, Charlie Dent; $1,075, 11/22/04, Larry Diedrich for Congress; $446.25, 10/15/04, Arkansas State Committee; $1,075, 10/15/04, Michael Fitzpatrick for Congress; $1,075, 10/15/04, Jeff Fortenberry; $1,075, 11/01/04, Jim Gerlach for Congress Committee; $1,075, 10/17/04, Louis Gohmert for Congress Committee; $1,075, 09/15/04, Kobach for Senate; $2,000, 09/25/04, Friends of Mel Martinez; $1,075, 11/01/04, Nancy Naples for Congress; $2,000, 11/02/04, George Nethercutt for Senate; $1,075, 09/15/04; Ted Poe; $1,075, 11/02/04, Jon Porter for Congress; $1,075, 11/02/04, Rick Renzi; $1,075, 09/17/04, John Swallow for Congress, Inc.; $2,000 11/01/04, John Thune for U.S. Senate; $2,000, 09/17/04, David Vitter for U.S. Senate; $1,075, 09/17/04, Greg Walcher for Congress; $1,075, 10/25/04, Arlene Wohlgemuth for Congress.

*Joint Committee Contributions to Candidate also shown.

3. Children and Spouses: (No contributions): Theodore Vallee (son); Charlie Vallee (son).

4. Parents: Rodolphe J. Vallee (father); Federal contributions: $1,000, 06/19/03, Bush-Cheney '04; $1,000, 01/20/04, Bush-Cheney '04.

Elizabeth Vallee (mother): Federal contributions: $1,000, 06/19/03 Bush-Cheney '04; $500, 08/27/03 Bush-Cheney '04; $500, 01/20/04 Bush-Cheney '04.

Mitchell Mack (father in-law): No Contributions.

Dolores Mack (mother in-law): No Contributions.

5. Grandparents: Grandmother Ruth White—deceased; Grandfather Robert White—deceased; Grandmother Shirley Vallee—deceased; Grandfather Rodolphe L. Vallee—deceased.

6. Brothers and Spouses: Timothy Vallee (brother): Federal contributions: $2,000, 01/20/04, Bush-Cheney '04; $1,000, 09/10/04, Bush-Cheney '04 Compliance Committee, Inc.

Lynn Vallee (sister-in-law): Federal contributions: $2,000, 06/16/03, Bush-Cheney '04.

7. Sisters and Spouses (No contributions): Amy Norris (sister), Kevin Norris (brother in-law); Lisa Driver (sister), Jim Driver (brother in-law); Andrea Dukas (sister), Tom Dukas (brother in-law).

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*Pamela E. Bridgewater, of Virginia, to be Ambassador to the Republic of Ghana.

Nominee: Pamela Ethel Bridgewater.

Post: Republic of Ghana.

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.

Contributions, amount, date, and donee

1. Se: None other than on U.S. Fed tax return for Presidential elections.

2. Spouse: No spouse.

3. Children and Spouses: No children.

4. Parents: Mrs. Mary H. Bridgewater none; Mr. Joseph N. Bridgewater, Jr: (deceased) (1977).

5. Grandparents: Mrs. Blanche Hester (deceased); Reverend B.H. Hester, (deceased); Mr. Joseph N. Bridgewater (deceased); Mrs. Ethel Bridgewater (deceased).

Brothers and Spouses: Joseph N. Bridgewater III (adopted step brother), none to my knowledge.

Sisters and Spouses: Mrs. Claudia Walton, step sister, none to my knowledge.

*Ann Louise Wagner, of Missouri, to be Ambassador to Luxembourg.

Nominee: Ann L. Wagner.

Post: United States Ambassador.

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.

Contributions, amount, date, and donee:

1. Self: $375, 02/24/2001, MO Republican State Cmte.; $1,000, 10/19/2001, Talent, James; $1,000, 12/31/2001, Akin, Todd; $1,000, 03/25/2002, Talent, James; $1,000, 06/06/2003, Bond, Kit; $1,850, 07/07/2003, Bush, George W.; $150, est. 04/2004, Bush, George W.

2. Spouse: Raymond Thomas Wagner, Jr., $500, 02/01/2001, RNC Nat'l St. Elections Cmte.; $225, 02/03/2001, ERAC PAC*; $500, 07/20/2001, ROYB Fund**; $500, 12/31/2001, ERAC PAC*; $1,000, 12/09/2002, ERAC PAC*; $2,000, 09/30/2003, Bush, George W.; $250, 12/25/2003, Bond, Kit; $1,250, 12/31/2003, ERAC PAC*; $1,250, 08/2004, ERAC PAC*.

*Enterprise Rent-A-Car Political Action Committee.

**Rely On Your Beliefs Political Action Committee (Roy Blunt).

3. Children and Spouses: Raymond Thomas Wagner, III, None (unmarried minor); Stephen Earl Wagner, None (unmarried minor); Mary Ruth Wagner, None (unmarried minor).

4. Parents: Ruth Ann Trousdale, None; Charles Earl Trousdale, $100, 03/25/2002, Talent, James.

5. Grandparents: Ruth Ann Sinnett—deceased; Charles Joseph Sinnett—deceased; Delma Brown—deceased; Delma Brown—deceased; S. Earl Trousdale—deceased.

6. Brothers and Spouses: David Earl Trousdale, None; Jennifer Trousdale, None.

7. Sisters and Spouses: Karen Marie Wright, None; Marshall Wright, None.

*Terence Patrick McCulley, of Oregon, to be Ambassador to the Republic of Mali.

Nominee: Terence P. McCulley.

Post: Mali.

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.

Contributions, amount, date, and donee:

1. Self, none, (except for annual check-off on joint federal Income tax return);

2. Spouse, none, (except for annual check-off on joint federal Income tax return).

3. Children and Spouses: Sean P. McCulley (12), none; Liam T. McCulley (8), none.

4. Parents: William M. McCulley, None; Doris J. McCulley, none.

5. Grandparents: Roy Millage—deceased (1961); Grace Millage Smith, deceased (1997); Elzie McCulley, deceased (1985); Jessie McCulley, deceased (1990).

6. Brothers and Spouses: Larry A. McCulley, none; Karen McCulley (sister-in-law), none; Stephen W. McCulley, none; Christine McCulley (sister-in-law), none.

7. Sisters and Spouses: None.

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. CORZINE (for himself, Mr. KENNEDY, Mrs. CLINTON, and Mr. REED):

S. 1249. A bill to require the Secretary of Education to rebate the amount of Federal Pell Grant aid lost as a result of the update to the tables for State and other taxes used in the Federal student aid need analysis for award year 2005-2006; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mr. JEFFORDS (for himself, Mrs. MURRAY, Mr. LAUTENBERG, Mr. LIEBERMAN, and Mr. CHAFEE)):

S. 1250. A bill to reauthorize the Great Ape Conservation Act of 2000; to the Committee on Environment and Public Works.

By Mr. ALLARD:

S. 1251. A bill to authorize the Secretary of Energy to purchase certain essential mineral rights as part of a comprehensive natural resource damage settlement; to the Committee on Armed Services.

By Mr. AKAKA (for himself and Mr. SALAZAR):

S. 1252. A bill to amend section 1922A of title 38, United States Code, to increase the amount of supplemental insurance available for totally disabled veterans; to the Committee on Veterans' Affairs.

By Mr. COLEMAN (for himself, Mr. PRYOR, Mr. DEWINE, Mr. GRAHAM, and Mr. NELSON of Florida):

S. 1253. A bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued to finance certain rural development projects, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. OBAMA (for himself and Mr. LEVIN):

S. Con. Res. 42. A concurrent resolution recognizing the historical significance of the Juneteenth Independence Day, and expressing the sense of Congress that history should be regarded as a means for understanding the past and solving the challenges of the future; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. BROWNBACK, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 51, a bill to ensure that women seeking an abortion are fully informed regarding the pain experienced by their unborn child.

S. 58

At the request of Mr. INOUYE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 58, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 59

At the request of Mr. INOUYE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 59, a bill to amend title 10, United States Code, to authorize certain disabled former prisoners of war to use Department of Defense commissary and exchange stores.

S. 146

At the request of Mr. INOUYE, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 146, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 155

At the request of Mrs. FEINSTEIN, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 155, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 241

At the request of Ms. SNOWE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 241, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 340

At the request of Mr. LUGAR, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 340, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 471

At the request of Mr. SPECTER, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 471, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 472

At the request of Mr. LEAHY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 472, a bill to criminalize Internet scams involving fraudulently obtaining personal information, commonly known as phishing.

S. 512

At the request of Mr. SANTORUM, the name of the Senator from Florida (Mr. MARTINEZ) 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 name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor 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. 619

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) 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. 635

At the request of Mr. SANTORUM, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 635, 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.

S. 647

At the request of Mrs. LINCOLN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 647, a bill to amend title XVIII of the Social Security Act to authorize physical therapists to evaluate and treat medicare beneficiaries without a requirement for a physician referral, and for other purposes.

S. 695

At the request of Mr. COCHRAN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from South Dakota (Mr. THUNE), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from California (Mrs. FEINSTEIN) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 695, a bill to suspend temporarily new shipper bonding privileges.

S. 714

At the request of Mr. SMITH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 714, a bill to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions.

S. 722

At the request of Mr. SANTORUM, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 722, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 760

At the request of Mr. INOUYE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 760, a bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children.

S. 784

At the request of Mr. THOMAS, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 784, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the medicare program, and for other purposes.

S. 861

At the request of Mr. ISAKSON, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 861, a bill to amend the Internal Revenue Code of 1986 to provide transition funding rules for certain plans electing to cease future benefit accruals, and for other purposes.

S. 876

At the request of Mr. HATCH, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 876, a bill to prohibit human cloning and protect stem cell research.

S. 911

At the request of Mr. CONRAD, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 911, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 1002

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1002, a bill to amend title XVIII of the Social Security Act to make improvements in payments to hospitals under the medicare program, and for other purposes.

S. 1034

At the request of Mr. ALEXANDER, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1034, a bill to provide for local control for the siting of windmills.

S. 1046

At the request of Mr. KYL, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1046, a bill to amend title 28, United States Code, with respect to the jurisdiction of Federal courts over certain cases and controversies involving the Pledge of Allegiance.

S. 1081

At the request of Mr. KYL, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1081, a bill to amend title XVIII of the Social Security Act to provide for a minimum update for physicians' services for 2006 and 2007.

S. 1112

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1120

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1120, a bill to reduce hunger in the United States by half by 2010, and for other purposes.

S. 1138

At the request of Mr. ALLEN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1138, a bill to authorize the placement of a monument in Arlington National Cemetery honoring the veterans who fought in World War II as members of Army Ranger Battalions.

S. 1157

At the request of Mr. CRAPO, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 1157, a bill to amend the Internal Revenue Code of 1986 to treat gold, silver, platinum, and palladium, in either coin or bar form, in the same manner as equities and mutual funds for purposes of maximum capital gains rate for individuals.

S. 1172

At the request of Mr. SPECTER, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 1172, a bill to provide for programs to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers.

S. 1240

At the request of Mr. SMITH, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1240, a bill to amend the Internal Revenue Code of 1986 to allow an investment tax credit for the purchase of trucks with new diesel engine technologies, and for other purposes.

S.J. RES. 18

At the request of Mrs. FEINSTEIN, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S.J. Res. 18, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 31

At the request of Mr. COLEMAN, the names of the Senator from New York (Mrs. CLINTON), the Senator from California (Mrs. FEINSTEIN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. Res. 31, a resolution expressing the sense of the Senate that the week of August 7, 2005, be designated as ''National Health Center Week'' in order to raise awareness of health services provided by community, migrant, public housing, and homeless health centers, and for other purposes.

S. RES. 39

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. Res. 39, a resolution apologizing to the victims of lynching and the descendants of those victims for the failure of the Senate to enact anti-lynching legislation.

At the request of Ms. LANDRIEU, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. Res. 39, supra.

S. RES. 42

At the request of Mr. LUGAR, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 42, a resolution expressing the sense of the Senate on promoting initiatives to develop an HIV vaccine.

S. RES. 134

At the request of Mr. SMITH, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 134, a resolution expressing the sense of the Senate regarding the massacre at Srebrenica in July 1995.

S. RES. 154

At the request of Mr. BIDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 154, a resolution designating October 21, 2005 as ''National Mammography Day''.

S. RES. 155

At the request of Mr. BIDEN, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. Res. 155, a resolution designating the week of November 6 through November 12, 2005, as ''National Veterans Awareness Week'' to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

AMENDMENT NO. 783

At the request of Mr. NELSON of Florida, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 783 intended to be proposed to H.R. 6, a bill Reserved.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORZINE (for himself, Mr. KENNEDY, Mrs. CLINTON, and Mr. REED):

S. 1249. A bill to require the Secretary of Education to rebate the amount of Federal Pell Grant aid lost as a result of the update to the tables for State and other taxes used in the Federal student aid need analysis for award year 2005–2006; to the Committee on Health, Education, Labor, and Pensions.

Mr. CORZINE. Mr. President, I join with Senator KENNEDY and others today in introducing an urgent and critical piece of legislation, the Student Fairness Act.

This bill would provide rebates to the many college students who will be receiving a dramatic reduction in their Federal financial aid come the return of classes this September. Due to an obscure change made in December of 2004 to a complicated and little-known formula used by the Department of Education to determine Pell Grant eligibility and allotment, many students will see a surprising increase in their expected family contribution, EFC, and a decrease in their Pell Grants. We must act now to prevent these decreases in aid from pricing our students out of college, forcing them to postpone their education and put their career goals on hold.

These changes to the tax tables, at the behest of the Administration, have the effect of cutting $300 million from the successful Pell grant program, upon which more than 5 million students nationwide rely. It is projected that, as a result of these cuts, 1.3 million students will see a reduction in their Pell grants and a projected 90,000 more will become ineligible entirely for Pell grant assistance. According to a survey performed by the New York Times, some students could lose up to $6,000 in financial aid and the average family will have to pay an extra $1,700 before clearing the eligibility bar.

Although the situation is imminent, this is not the first time the Senate has acted to block such changes to the Pell Grant award formula. I successfully secured language in the FY04 Onmibus Appropriations bill that blocked the administration from carrying out a similar plan for the 2004–2005 school year. The same provision, however, was dropped during the conference deliberations of the FY05 Omnibus Appropriations bill. In response, I, along with 31 of my Senate colleagues, introduced S. 187, the Ensuring College Access for All Americans Act, which would have prevented the new calculations from reducing Pell Grants for the 2005–2006 academic year. Alas, the Senate has not acted with enough haste, and by now many financial aid departments have already determined their student aid packages based on the new figures. Students are beginning to realize the harsh reality of rising college tuitions matched by a government unwilling to support its own future leaders. Our only remaining option is to provide these students with these rebates so that they will not lose their financial aid for the coming school year.

This bill calls on the Secretary of Education to calculate the increase in a student's expected family contribution due to the tax table modifications and then provides each such student with a rebate equal to that increase. The legislation would hold harmless any student whose expected family contribution decreased or stayed the same as a result of the changes. Furthermore, the rebate would be treated in the same manner as other financial assistance for tax purposes and would not affect future Pell Grant eligibility.

In addition, our bill has recently received the endorsement of the Campaign for America's Future, an organization that has been a great advocate for students and has been actively collecting stories from American students about the incredible impact of financial aid on their lives.

I thank the National Association of Student Financial Aid Administrators for their help in crafting this bill and their support in helping students receive the financial aid they deserve.

I urge my colleagues to pass the Student Fairness Act immediately to prevent any student from putting off college because their financial aid has suddenly and mysteriously disappeared.

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. 1249

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 ''Student Fairness Act''.

SEC. 2. REBATE REQUIRED.

(a) CALCULATION OF EXPECTED FAMILY CONTRIBUTION.—Beginning 60 days after the date of enactment of this Act, the Secretary of Education (referred to in this Act as the ''Secretary'') shall, for each student who submits a completed Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090) for the 2005–2006 award year, calculate—

(1) the expected family contribution, as determined for such student for such award year on the basis of the allowance for State and other taxes as adjusted by the updated tax tables published in the Federal Register on Thursday, December 23, 2004 (69 Fed. Reg. 76926-76927); and

(2) the expected family contribution that would apply to such student if such calculation was based upon the allowance for State and other taxes used for the 2004–2005 award year.

(b) REBATE THE DIFFERENCE IN THE PELL GRANT AWARD.—

(1) IN GENERAL.—For each student for whom the amount determined under subsection (a)(1) exceeds the amount determined under subsection (a)(2), the Secretary shall—

(A) determine the amount (if any) by which—

(i) the Federal Pell Grant aid under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) that would have been provided to such student if such calculation was based upon the allowance for State and other taxes for the 2004–2005 award year, exceeds

(ii) the Federal Pell Grant aid provided to such student for award year 2005–2006, based upon the updated tax tables described in subsection (a)(1); and

(B) not later than 30 days after the date of the determination under subparagraph (A), provide directly to such student a rebate equal to the amount of such excess.

(2) NO REDUCTION.—If the amount determined under subsection (a)(1) for a student is equal to or less than the amount determined under subsection (a)(2), the Secretary shall not reduce the amount of the Federal Pell Grant under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) available for such student based on the updated tax tables described in subsection (a)(1) for award year 2005–2006.

(c) TREATMENT OF REBATE.—Any rebate amount provided to a student under this section shall not be—

(1) treated as a resource or estimated financial aid for determining an overaward;

(2) adjusted based upon the student's attendance status during the 2005–2006 payment period;

(3) included as assistance provided to such student under section 484B of the Higher Education Act of 1965 (20 U.S.C. 1091b);

(4) considered as income received when completing any form required by the Secretary under section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090); and

(5) treated as other financial aid, assets, or income for purposes of determining the need for financial assistance for any award year subsequent to award year 2005–2006.

(d) AUTHORITY TO USE CONTRACTORS FOR ADMINISTRATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary may provide by contract for the administration of the requirements of this section.

(2) INSTITUTIONS NOT REQUIRED TO PERFORM ADMINISTRATIVE TASKS.—Any institution that is eligible to participate in programs under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.) shall not be required to perform any administrative requirement under this Act.

(e) USE OF FAFSA DATA PERMITTED.—The Secretary may use information provided on the Free Application for Federal Student Aid to comply with the requirements of this section.

(f) REQUIRED PAYMENTS OF REBATE.—The Secretary shall transfer any unobligated funds available to the Secretary under the Consolidated Appropriations Act, 2005 (Public Law 108–447) as may be necessary to carry out this Act.

Mr. KENNEDY. Mr. President, today I join Senators CORZINE, CLINTON, and REED to introduce legislation to ease the harsh effects of the implementation of changes in the State and local tax tables on college students receiving need-based financial aid.

When a decision is made by any administration that affects what families pay for college, it is important for Congress to understand the factors that led to the decision and the impact of the decision on the Nation's families.

In light of the slumping economy, State budget crises, and rising college costs, the Department's proposed changes come at a very difficult time for students and their families. Raising the cost of tuition by a few hundred dollars may force a student to leave school, and it is our responsibility to ensure that these changes are being made for sound reasons.

The Department is authorized to make annual revisions in the State and local tax tables, but for years the lag in the data has made administrations reconsider making changes. We need to look for better ways to make sure that the data reflect the taxes that are currently being paid by families before we adjust the tables.

I urge the Department of Education to work with Congress to decide if these data are indeed the best information that we have. We can use the opportunity of the reauthorization of the Higher Education Act this year to find a data source that provides timely, accurate information. Until we have done so, I urge my colleagues to support the Kennedy-Corzine bill, so that thousands of students who are harmed by these changes can retain their grants of aid and continue their college education.

By Mr. REID (for Mr. JEFFORDS (for himself, Mrs. MURRAY, Mr. LAUTENBERG, Mr. LIEBERMAN, and Mr. CHAFEE)):

S. 1250. A bill to reauthorize the Great Ape Conservation Act of 2000; to the Committee on Environment and Public Works.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. JEFFORDS. Mr. President, today I introduce the Great Ape Conservation Reauthorization Act of 2005. Over the past decade I have sponsored legislation to establish and reauthorize programs designated for the conservation of several multinational species including African elephants, Asian elephants, rhinoceros and tigers, and marine turtles.

Throughout my years in Congress, endangered species conservation has been among my highest priorities, but the recent birth of my first grandson lends new strength to my commitment to preserve the natural world for future generations.

The great apes—chimpanzees, gorillas, bonobos, orangutans, and gibbons—constitute a group of 14 primate species that share a high percentage of genetic characteristics with human beings. Among them, certain species have demonstrated the ability to learn human behaviors. Left unharmed, they may live for 30 to 50 years and form complex social relationships. As Dr. Jane Goodall said in a BBC News article in 2002, ''All [great ape species] have minds that can solve simple problems and all have feelings. So it's a moral responsibility to save them from extinction.''

The United Nations Environment Programme estimates that fewer than 100,000 Western lowland gorillas currently remain worldwide. Only 30,000 orangutans remain in Southeast Asia. According to the U.S. Fish and Wildlife Service, whereas more than one million chimpanzees populated the dense forests of Africa in 1960, fewer than 200,000 survive in the wild today.

In regions of Western and Central Africa and Southeast Asia, where populations of these captivating creatures still remain, the continued existence of great ape species will depend upon finding solutions to various complicated threats including habitat destruction, disease, and poaching.

One problem of elevated concern for scientists is the alarming number of new outbreaks of the ebola virus in Africa. As we have become increasingly aware of the substantial risk to human life that ebola and similar viruses pose

in parts of Central and Western Africa, few understand the serious impact that these diseases have on great ape populations. A study published in the journal Nature in 2003 reports that when an ebola outbreak affects a given area, more than 80 percent of all great apes living in that area will die of the disease.

In August 2004, the International Primatological Society released preliminary evidence that suggests that as many as 20,000 Western lowland gorillas may be at risk as the result of a new outbreak of the ebola virus in the Republic of Congo.

Developing vaccines and techniques to prevent the decimation of great ape populations as a result of ebola will require a coordinated effort among conservationists, wildlife biologists, and those responding to human outbreaks. Supported in part by the Great Ape Conservation Fund, the U.S. Fish and Wildlife Service recently convened a meeting of experts to begin the process of developing a research and intervention plan. This meeting typifies this kind of collaborative conservation effort that the Great Ape Conservation program was designed to undertake.

The Great Ape Conservation Fund has also played an invaluable role in protecting habitat. One of the first such projects to receive support from the Fund, the Goualougo Triangle Chimp Project in the Republic of Congo, is a success story that stands out among what can often be disheartening news from the frontlines of chimpanzee conservation.

In 1993, scientists first discovered a small population of chimpanzees in the Goualougo Triangle that had never been hunted and were therefore not afraid of humans. The presence of such chimps is extraordinary given that their habitat coincides with a region that is rife with logging and bushmeat hunting.

With help from the Great Ape program, scientists from the Wildlife Conservation Society produced scientific evidence to document 272 individual chimps and acquired rare video footage of their social interactions. As a result of this study, conservationists convinced the government of Congo to protect the Goualougo chimps and their habitat from the eminent threat of logging and hunting and to cede the Goualougo Triangle to a national park.

Over the course of merely 5 years, the Great Ape Conservation Fund has provided financial assistance for 94 research and restoration projects in 22 countries and leveraged millions of dollars in additional matching and in-kind funds.

My legislation reauthorizes the Great Ape Conservation Fund, which receives its annual appropriation through the Multinational Species Conservation Fund, for 5 years and gradually raises the funding authorization from $5 million for each year to $7 million for fiscal year 2008 and $10 million for fiscal years 2009 and 2010. The bill raises the top threshold cap on administrative expenses from $80,000 to $150,000, though I should note that over the past five years, Federal appropriations have yet to bring the cap on administrative expenses to the top threshold amount.

Additional provisions of the bill will expand the variety of conservation projects eligible for assistance to include those that address the root causes of threats to great apes in range states, including the illegal bushmeat trade, diseases, lack of regional or local capacity for conservation and habitat loss due to natural disasters.

The bill also amends an existing requirement in the law that requires that the U.S. Fish and Wildlife Service annually convene a panel of experts. My bill exempts expert panels under this law from the Federal Advisory Committee Act and provide the administrator with greater flexibility to determine when it is appropriate to convene an expert panel.

I remain hopeful that despite the overwhelming challenges that jeopardize the continued survival of great apes, we can do our part to sustain efforts to halt their unnecessary extinction.

Federal assistance for the conservation of rare, threatened and endangered international species through the use of species conservation funds has received bipartisan support from Congress for nearly 15 years. I ask you to please join me in maintaining this longstanding commitment to wildlife protection.

Mr. President, I ask that the text of the bill be printed in the RECORD.

The text of the bill is as follows:

S. 1250

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

SECTION 1. GREAT APE CONSERVATION ASSISTANCE.

Section 4 of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303) is amended—

(1) in subsection (d)—

(A) in paragraph (4)(C), by striking ''or'' after the semicolon at the end;

(B) in paragraph (5), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(6) address root causes of threats to great apes in range states, including illegal bushmeat trade, diseases, lack of regional or local capacity for conservation, and habitat loss due to natural disasters.''; and

(2) in subsection (i)—

(A) by striking ''Every'' and inserting the following:

''(1) IN GENERAL.—Every'';

(B) in paragraph (1) (as designated by subparagraph (A)), by striking ''shall'' and inserting ''may''; and

(C) by adding at the end the following:

''(2) APPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 App. U.S.C.) shall not apply to a panel convened under paragraph (1).''.

SEC. 2. GREAT APE CONSERVATION FUND.

Section 5(b)(2) of the Great Ape Conservation Act of 2000 (16 U.S.C. 6304(b)(2)) is amended—

(1) by striking ''expand'' and inserting ''expend''; and

(2) by striking ''$80,000'' and inserting ''$150,000''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

The Great Ape Conservation Act of 2000 is amended by striking section 6 (16 U.S.C. 6305) and inserting the following:

''SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to the Fund—

''(1) $5,000,000 for each of fiscal years 2006 and 2007;

''(2) $7,000,000 for fiscal year 2008; and

''(3) $10,000,000 for each of fiscal years 2009 and 2010.''.●

By Mr. COLEMAN (for himself, Mr. PRYOR, Mr. DEWINE, Mr. GRAHAM, and Mr. NELSON of Florida):

S. 1253. A bill to amend the Internal Revenue Code of 1986 to allow a credit to holders of qualified bonds issued to finance certain rural development projects, and for other purposes; to the Committee on Finance.

Mr. COLEMAN. Mr. President, 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. 1253

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

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE.

(a) SHORT TITLE.—This Act may be cited as the ''Rural Renaissance Act II of 2005''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. CREDIT TO HOLDERS OF RURAL RENAISSANCE BONDS.

(a) IN GENERAL.—Part IV of subchapter A of chapter 1 (relating to credits against tax) is amended by adding at the end the following new subpart:

''Subpart H—Nonrefundable Credit to Holders of Rural Renaissance Bonds

''Sec. 54. Credit to holders of rural renaissance bonds.

''SEC. 54. CREDIT TO HOLDERS OF RURAL RENAISSANCE BONDS.

''(a) ALLOWANCE OF CREDIT.—In the case of a taxpayer who holds a rural renaissance bond on a credit allowance date of such bond, which occurs during the taxable year, there shall be allowed as a credit against the tax imposed by this chapter for such taxable year an amount equal to the sum of the credits determined under subsection (b) with respect to credit allowance dates during such year on which the taxpayer holds such bond.

''(b) AMOUNT OF CREDIT.—

''(1) IN GENERAL.—The amount of the credit determined under this subsection with respect to any credit allowance date for a rural renaissance bond is 25 percent of the annual credit determined with respect to such bond.

''(2) ANNUAL CREDIT.—The annual credit determined with respect to any rural renaissance bond is the product of—

''(A) the credit rate determined by the Secretary under paragraph (3) for the day on which such bond was sold, multiplied by

''(B) the outstanding face amount of the bond.

''(3) DETERMINATION.—For purposes of paragraph (2), with respect to any rural renaissance bond, the Secretary shall determine

daily or caused to be determined daily a credit rate which shall apply to the first day on which there is a binding, written contract for the sale or exchange of the bond. The credit rate for any day is the credit rate which the Secretary or the Secretary's designee estimates will permit the issuance of rural renaissance bonds with a specified maturity or redemption date without discount and without interest cost to the qualified issuer.

''(4) CREDIT ALLOWANCE DATE.—For purposes of this section, the term 'credit allowance date' means—

''(A) March 15,

''(B) June 15,

''(C) September 15, and

''(D) December 15.

Such term also includes the last day on which the bond is outstanding.

''(5) SPECIAL RULE FOR ISSUANCE AND REDEMPTION.—In the case of a bond which is issued during the 3-month period ending on a credit allowance date, the amount of the credit determined under this subsection with respect to such credit allowance date shall be a ratable portion of the credit otherwise determined based on the portion of the 3-month period during which the bond is outstanding. A similar rule shall apply when the bond is redeemed or matures.

''(c) LIMITATION BASED ON AMOUNT OF TAX.—

''(1) IN GENERAL.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess of—

''(A) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

''(B) the sum of the credits allowable under this part (other than subpart C thereof, relating to refundable credits).

''(2) CARRYOVER OF UNUSED CREDIT.—If the credit allowable under subsection (a) exceeds the limitation imposed by paragraph (1) for such taxable year, such excess shall be carried to the succeeding taxable year and added to the credit allowable under subsection (a) for such taxable year.

''(d) RURAL RENAISSANCE BOND.—For purposes of this section—

''(1) IN GENERAL.—The term 'rural renaissance bond' means any bond issued as part of an issue if—

''(A) the bond is issued by a qualified issuer,

''(B) 95 percent or more of the proceeds from the sale of such issue are to be used for capital expenditures incurred for 1 or more qualified projects,

''(C) the qualified issuer designates such bond for purposes of this section and the bond is in registered form, and

''(D) the issue meets the requirements of subsections (e) and (g).

''(2) QUALIFIED PROJECT; SPECIAL USE RULES.—

''(A) IN GENERAL.—The term 'qualified project' means 1 or more projects described in subparagraph (B) located in a rural area.

''(B) PROJECTS DESCRIBED.—A project described in this subparagraph is—

''(i) a water or waste treatment project,

''(ii) an affordable housing project,

''(iii) a community facility project, including hospitals, fire and police stations, and nursing and assisted-living facilities,

''(iv) a value-added agriculture or renewable energy facility project for agricultural producers or farmer-owned entities, including any project to promote the production, processing, or retail sale of ethanol (including fuel at least 85 percent of the volume of which consists of ethanol), biodiesel, animal waste, biomass, raw commodities, or wind as a fuel,

''(v) a distance learning or telemedicine project,

''(vi) a rural utility infrastructure project, including any electric or telephone system,

''(vii) a project to expand broadband technology,

''(viii) a rural teleworks project, and

''(ix) any project described in any preceding clause carried out by the Delta Regional Authority.

''(C) SPECIAL RULES.—For purposes of this paragraph—

''(i) any project described in subparagraph (B)(iv) for a farmer-owned entity may be considered a qualified project if such entity is located in a rural area, or in the case of a farmer-owned entity the headquarters of which are located in a nonrural area, if the project is located in a rural area, and

''(ii) any project for a farmer-owned entity which is a facility described in subparagraph (B)(iv) for agricultural producers may be considered a qualified project regardless of whether the facility is located in a rural or nonrural area.

''(3) SPECIAL USE RULES.—

''(A) REFINANCING RULES.—For purposes of paragraph (1)(B), a qualified project may be refinanced with proceeds of a rural renaissance bond only if the indebtedness being refinanced (including any obligation directly or indirectly refinanced by such indebtedness) was originally incurred after the date of the enactment of this section.

''(B) TREATMENT OF CHANGES IN USE.—For purposes of paragraph (1)(B), the proceeds of an issue shall not be treated as used for a qualified project to the extent that a borrower takes any action within its control which causes such proceeds not to be used for a qualified project. The Secretary shall prescribe regulations specifying remedial actions that may be taken (including conditions to taking such remedial actions) to prevent an action described in the preceding sentence from causing a bond to fail to be a rural renaissance bond.

''(e) MATURITY LIMITATIONS.—

''(1) DURATION OF TERM.—A bond shall not be treated as a rural renaissance bond if such bond is issued as part of an issue and—

''(A) the average maturity of bonds issued as a part of such issue, exceeds

''(B) 120 percent of the average reasonable expected economic life of the facilities being financed with the proceeds from the sale of such issue.

''(2) DETERMINATION OF AVERAGES.—For purposes of paragraph (1), the determination of averages of an issue and economic life of any facility shall be determined in accordance with section 147(b).

''(3) RATABLE PRINCIPAL AMORTIZATION REQUIRED.—A bond shall not be treated as a rural renaissance bond unless it is part of an issue which provides for an equal amount of principal to be paid by the qualified issuer during each calendar year that the issue is outstanding.

''(f) CREDIT INCLUDED IN GROSS INCOME.—Gross income includes the amount of the credit allowed to the taxpayer under this section (determined without regard to subsection (c)) and the amount so included shall be treated as interest income.

''(g) SPECIAL RULES RELATING TO EXPENDITURES.—

''(1) IN GENERAL.—An issue shall be treated as meeting the requirements of this subsection if—

''(A) at least 95 percent of the proceeds from the sale of the issue are to be spent for 1 or more qualified projects within the 5-year period beginning on the date of issuance of the rural renaissance bond,

''(B) a binding commitment with a third party to spend at least 10 percent of the proceeds from the sale of the issue will be incurred within the 6-month period beginning on the date of issuance of the rural renaissance bond or, in the case of a rural renaissance bond, the proceeds of which are to be loaned to 2 or more borrowers, such binding commitment will be incurred within the 6-month period beginning on the date of the loan of such proceeds to a borrower, and

''(C) such projects will be completed with due diligence and the proceeds from the sale of the issue will be spent with due diligence.

''(2) EXTENSION OF PERIOD.—Upon submission of a request prior to the expiration of the period described in paragraph (1)(A), the Secretary may extend such period if the qualified issuer establishes that the failure to satisfy the 5-year requirement is due to reasonable cause and the related projects will continue to proceed with due diligence.

''(3) FAILURE TO SPEND REQUIRED AMOUNT OF BOND PROCEEDS WITHIN 5 YEARS.—To the extent that less than 95 percent of the proceeds of such issue are expended within such 5-year period (and no extension has been obtained under paragraph (2)), the qualified issuer shall redeem all of the nonqualified bonds on the earliest call date subsequent to the expiration of the 5-year period. If such earliest call date is more than 90 days subsequent to the expiration of the 5-year period, the qualified issuer shall establish a yield-restricted defeasance escrow within such 90 days to retire such nonqualified bonds on the earlier of the date which is 10 years after the issue date or the first call date. For purposes of this paragraph, the term 'nonqualified bonds' means the portion of the outstanding bonds in an amount that, if the remaining bonds were issued on the fifth anniversary of the date of the issuance of the issue, at least 95 percent of the proceeds of the remaining bonds would be used to provide qualified projects.

''(h) SPECIAL RULES RELATING TO ARBITRAGE.—

''(1) IN GENERAL.—A bond which is part of an issue shall not be treated as a rural renaissance bond unless, with respect to the issue of which the bond is a part, the qualified issuer satisfies the arbitrage rebate requirements of section 148 with respect to gross proceeds of the issue (other than any amounts applied in accordance with subsection (g)). For purposes of such requirements, yield over the term of an issue shall be determined under the principles of section 148 based on the qualified issuer's payments of principal, interest (if any), and fees for qualified guarantees on such issue.

''(2) EXCEPTION.—Amounts on deposit in a bona fide debt service fund with regard to any rural renaissance bond are not subject to the arbitrage rebate requirements of section 148.

''(i) QUALIFIED ISSUER.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified issuer' means any not-for-profit cooperative lender which has as of the date of the enactment of this section received a guarantee under section 306 of the Rural Electrification Act and which meets the requirement of paragraph (2).

''(2) USER FEE REQUIREMENT.—The requirement of this paragraph is met if the issuer of any rural renaissance bond makes grants for economic and community development projects on a semi-annual basis every year that such bond is outstanding in an annual amount equal to ½ of the rate on United States Treasury bills of the same maturity multiplied by the outstanding principal balance of rural renaissance bonds issued by such issuer.

''(j) SPECIAL RULES RELATING TO POOL BONDS.—No portion of a pooled financing bond may be allocable to loan unless the borrower has entered into a written loan commitment for such portion prior to the issue date of such issue.

''(k) OTHER DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) BOND.—The term 'bond' includes any obligation.

''(2) POOLED FINANCING BOND.—The term 'pooled financing bond' shall have the meaning given such term by section 149(f)(4)(A).

''(3) RURAL AREA.—The term 'rural area' means any area other than—

''(A) a city or town which has a population of greater than 50,000 inhabitants, or

''(B) the urbanized area contiguous and adjacent to such a city or town.

''(4) PARTNERSHIP; S CORPORATION; AND OTHER PASS-THRU ENTITIES.—Under regulations prescribed by the Secretary, in the case of a partnership, trust, S corporation, or other pass-thru entity, rules similar to the rules of section 41(g) shall apply with respect to the credit allowable under subsection (a).

''(5) BONDS HELD BY REGULATED INVESTMENT COMPANIES.—If any rural renaissance bond is held by a regulated investment company, the credit determined under subsection (a) shall be allowed to shareholders of such company under procedures prescribed by the Secretary.

''(6) TREATMENT FOR ESTIMATED TAX PURPOSES.—Solely for purposes of sections 6654 and 6655, the credit allowed by this section to a taxpayer by reason of holding a rural renaissance bond on a credit allowance date shall be treated as if it were a payment of estimated tax made by the taxpayer on such date.

''(7) REPORTING.—Issuers of rural renaissance bonds shall submit reports similar to the reports required under section 149(e).

(b) REPORTING.—Subsection (d) of section 6049 (relating to returns regarding payments of interest) is amended by adding at the end the following new paragraph:

''(8) REPORTING OF CREDIT ON RURAL RENAISSANCE BONDS.—

''(A) IN GENERAL.—For purposes of subsection (a), the term 'interest' includes amounts includible in gross income under section 54(f) and such amounts shall be treated as paid on the credit allowance date (as defined in section 54(b)(4)).

''(B) REPORTING TO CORPORATIONS, ETC.—Except as otherwise provided in regulations, in the case of any interest described in subparagraph (A), subsection (b)(4) shall be applied without regard to subparagraphs (A), (H), (I), (J), (K), and (L)(i) of such subsection.

''(C) REGULATORY AUTHORITY.—The Secretary may prescribe such regulations as are necessary or appropriate to carry out the purposes of this paragraph, including regulations which require more frequent or more detailed reporting.''.

(c) CLERICAL AMENDMENTS.—

(1) The table of subparts for part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

''Subpart H. Nonrefundable credit to holders of rural renaissance bonds.''.

(2) Section 6401(b)(1) is amended by striking ''and G'' and inserting ''G, and H''.

(d) ISSUANCE OF REGULATIONS.—The Secretary of Treasury shall issue regulations required under section 54 of the Internal Revenue Code of 1986 (as added by this section) not later than 120 days after the date of the enactment of this Act.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 42—RECOGNIZING THE HISTORICAL SIGNIFICANCE OF THE JUNETEENTH INDEPENDENCE DAY, AND EXPRESSING THE SENSE OF CONGRESS THAT HISTORY SHOULD BE REGARDED AS A MEANS FOR UNDERSTANDING THE PAST AND SOLVING THE CHALLENGES OF THE FUTURE

Mr. OBAMA (for himself and Mr. LEVIN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 42

Whereas news of the end of slavery did not reach frontier areas of the United States, and in particular the Southwestern States, for more than 2 years after President Lincoln's Emancipation Proclamation of January 1, 1863, and months after the conclusion of the Civil War;

Whereas on June 19, 1865, Union soldiers led by Major General Gordon Granger arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free;

Whereas African Americans who had been slaves in the Southwest celebrated June 19, commonly known as Juneteenth Independence Day, as the anniversary of their emancipation;

Whereas African Americans from the Southwest continue the tradition of Juneteenth Independence Day as inspiration and encouragement for future generations;

Whereas for more than 135 years, Juneteenth Independence Day celebrations have been held to honor African American freedom while encouraging self-development and respect for all cultures;

Whereas although Juneteenth Independence Day is beginning to be recognized as a national, and even global, event, the history behind the celebration should not be forgotten; and

Whereas the faith and strength of character demonstrated by former slaves remains an example for all people of the United States, regardless of background, religion, or race: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) Congress—

(A) recognizes the historical significance of Juneteenth Independence Day to the Nation;

(B) supports the continued celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the Nation; and

(C) encourages the people of the United States to observe Juneteenth Independence Day with appropriate ceremonies, activities, and programs; and

(2) it is the sense of Congress that—

(A) history should be regarded as a means for understanding the past and solving the challenges of the future; and

(B) the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States.

Mr. LEVIN. Mr. President, this week there will be celebrations in observance of the date upon which slavery finally came to an end in the United States, June 19, 1865, also known as ''Juneteenth Independence Day.'' It was on this date that slaves in the Southwest finally learned of the end of slavery. Although passage of the 13th amendment in January 1863, legally abolished slavery, many African Americans remained in servitude due to the slow dissemination of this news across the country. Since that time, over 130 years ago, the descendants of slaves have observed this anniversary of emancipation as a remembrance of one of the most tragic periods of our nation's history. The suffering, degradation and brutality of slavery cannot be repaired, but the memory can serve to ensure that no such inhumanity is ever perpetrated again on American soil.

Throughout the Nation, we also celebrate the many important achievements of former slaves and their descendants. We do so because in 1926, Dr. Carter G. Woodson, son of former slaves, proposed such a recognition as a way of preserving the history of African Americans and recognizing the enormous contributions of a people of great strength, dignity, faith and conviction—a people who rendered their achievements for the betterment and advancement of a Nation once lacking in humanity towards them. Every February, nationwide, we celebrate African American History Month. And, every year on June 19 we celebrate ''Juneteenth Independence Day.''

I am happy to join with my colleague, Senator BARACK OBAMA, in commemorating Juneteenth Independence Day with the submission of S. Con. Res. 42, in recognition of the end of slavery and to never forget even the worst aspects of our Nation's history.

AMENDMENTS SUBMITTED AND PROPOSED

SA 784. Ms. CANTWELL (for herself, Mrs. FEINSTEIN, Mr REID, and Mr. DURBIN) proposed an amendment to the bill H.R. 6, Reserved.

SA 785. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 786. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 787. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 788. Mr. DEWINE (for himself, Mr. KOHL, Mr. SPECTER, Mr. LEAHY, Mr. GRASSLEY, Mr. FEINGOLD, Mr. COBURN, Mr. LEVIN, Ms. SNOWE, Mrs. BOXER, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

SA 789. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 6, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 784. Ms. CANTWELL (for herself, Mrs. FEINSTEIN, Mr. REID, and Mr. DURBIN) proposed an amendment to the bill H.R. 6, Reserved; as follows:

Beginning on page 120, strike line 23 and all that follows through page 122, line 14, and insert the following:

SEC. 151. REDUCTION OF DEPENDENCE ON IMPORTED PETROLEUM.

(a) FINDINGS.—Congress finds that—

(1) based on the reports of the Energy Information Administration entitled ''Annual Energy Outlook 2005'' and ''May 2005 Monthly Energy Review''—

(A) during the period beginning January 1, 2005, and ending April 30, 2005, the United States imported an estimated average of 13,056,000 barrels of oil per day; and

(B) the United States is projected to import 19,110,000 barrels of oil per day in 2025;

(2) technology solutions already exist to dramatically increase the productivity of the United States energy supply;

(3) energy efficiency and conservation measures can improve the economic competitiveness of the United States and lessen energy costs for families in the United States;

(4) United States dependence on foreign energy imports leaves the United States vulnerable to energy supply shocks and reliant on the willingness of other countries to provide sufficient supplies of oil;

(5) while only 3 percent of proven oil reserves are located in territory controlled by the United States, advances in fossil fuel extraction techniques and technologies could increase United States energy supplies; and

(6) reducing energy consumption also benefits the United States by lowering the environmental impacts associated with fossil fuel use.

(b) GOAL.—It is a goal of the United States to reduce by 40 percent the amount of foreign oil projected to be imported during calendar year 2025 in the reference case contained in the report of the Energy Information Administration entitled ''Annual Energy Outlook 2005''.

(c) MEASURES TO REDUCE IMPORT DEPENDENCE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every two years thereafter, the President shall—

(A) develop and implement measures to reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States sufficient to reduce total demand for petroleum in the United States by 1,000,000 barrels per day from the amount projected for calendar year 2015; and

(B)(i) subject to clause (ii), develop and implement measures to reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States sufficient to reduce total demand for petroleum in the United States by 7,640,000 barrels per day from the amount projected for calendar year 2025.

(ii) If the President determines that there are insufficient legal authorities to achieve the target for calendar year 2025 in clause (i), the President shall develop and implement measures that will reduce dependence on foreign petroleum imports of the United States by reducing petroleum in end-uses throughout the economy of the United States to the maximum extent practicable and shall submit to Congress proposed legislation or other recommendations to achieve the target.

(2) REQUIREMENTS.—In developing measures under paragraph (1), the President shall—

(A) ensure continued reliable and affordable energy for the United States, consistent with the creation of jobs and economic growth and maintaining the international competitiveness of United States businesses, including the manufacturing sector; and

(B) implement measures under paragraph (1) under existing authorities of the appropriate Federal agencies, as determined by the President.

(3) PROJECTIONS.—The projections for total demand for petroleum in the United States under paragraph (1) shall be those contained in the Reference Case in the report of the Energy Information Administration entitled ''Annual Energy Outlook 2005''.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the President shall submit to Congress a report, based on the most recent edition of the Annual Energy Outlook published by the Energy Information Administration, assessing the progress made by the United States toward the goal of reducing dependence on imported petroleum sources by 2025.

(2) CONTENTS.—The report under paragraph (1) shall—

(A) identify the status of efforts to meet the goal described in subsection (b);

(B) assess the effectiveness of any measure implemented under subsection (c) during the previous fiscal year in meeting the goal described in subsection (b); and

(C) describe plans to develop additional measures to meet the goal.

SA 785. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 6, Reserved; which was ordered to lie on the table; as follows:

On page 49, between lines 4 and 5, insert the following:

SEC. 12___. YOUTH ENERGY CONSERVATION CORPS.

(a) PURPOSES.—The purposes of this section are to—

(1) provide a local, low-cost source of labor for energy conservation projects;

(2) allow service and conservation corps to enter into agreements with the Department to carry out projects to increase energy efficiency in communities of the United States, particularly low-income communities;

(3) offer young people, ages 16 through 25, particularly those who are at-risk or economically disadvantaged, the opportunity to gain productive employment and experience in the field of energy conservation; and

(4) give those young people the opportunity to serve their communities and to participate in energy conservation activities in their communities.

(b) DEFINITIONS.—In this section:

(1) ALASKA NATIVE CORPORATION.—The term ''Alaska Native Corporation'' means a Regional Corporation or Village Corporation, as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(2) CORPS.—The term ''Corps'' means the Youth Energy Conservation Corps established under subsection (c).

(3) HAWAIIAN HOME LANDS.—The term ''Hawaiian home lands'' has the meaning given the term in section 203 of Public Law 91–378 (16 U.S.C. 1722).

(4) INDIAN LANDS.—The term ''Indian lands'' has the meaning given the term in section 203 of Public Law 91–378 (16 U.S.C. 1722).

(5) SERVICE AND CONSERVATION CORPS.—The term ''service and conservation corps'' means any organization established by a State or local government, nonprofit organization, Indian tribe, or Alaska Native Corporation that—

(A) has a research-validated demonstrable capability to use the corps model to provide productive work to individuals;

(B) gives participants a combination of work experience, basic and life skills, education, training, and support services;

(C) provides participants with the opportunity to develop citizenship values through service to their communities and the United States; and

(D) is accredited by a national or regional body with expertise in service and conservation corps.

(6) STATE.—The term ''State'' means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau; and

(J) the United States Virgin Islands.

(c) ESTABLISHMENT.—There is established a Youth Energy Conservation Corps.

(d) PARTICIPANTS.—The Corps shall consist of young adults who are enrolled as members of a service or conservation corps covered by a contract or cooperative agreement entered into under subsection (e).

(e) CONTRACTS OR AGREEMENTS.—The Secretary may enter into contracts or cooperative agreements directly with—

(1) any service or conservation corps to carry out a project described in subsection (f); or

(2) a department of energy of any State that has entered into a contract or cooperative agreement with a service or conservation corps to carry out an energy conservation project described in subsection (f).

(f) AUTHORIZED PROJECTS.—For purposes of this section, an authorized project is an energy conservation project authorized under section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287).

(g) PRIORITY PROJECTS.—In entering into a contract or cooperative agreement under subsection (e), the Secretary shall give priority to projects that will—

(1) result in the most energy conservation;

(2) result in training for a career in the energy conservation industry;

(3) instill in members of the corps a work ethic and sense of personal responsibility;

(4) be labor intensive; and

(5) be planned and initiated promptly.

(h) SUPPORTIVE SERVICES.—The Secretary may provide to the Corps such services as the Secretary considers necessary to carry out this section, including technical assistance, oversight, monitoring, and evaluation to or for—

(1) State departments of energy (or equivalent agencies);

(2) service and conservation corps;

(3) in the case of Indian lands, the applicable Indian tribe;

(4) in the case of Hawaiian home lands, the applicable State agency in the State of Hawaii; and

(5) in the case of land under the jurisdiction of an Alaska Native Corporation, the applicable Alaska Native Corporation.

(i) OTHER USES OF FUNDS.—Funds made available under this section may be used to support implementation, monitoring, training, technical assistance, and administrative work of service and conservation corps covered by a contract or cooperative agreement entered into under subsection (e).

(j) NONDISPLACEMENT.—The nondisplacement requirements of section 177(b) of the National and Community Service Act of 1990 (42 U.S.C. 12637(b)) shall apply to activities carried out under this section.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SA 786. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to

the bill H.R. 6, Reserved; which was ordered to lie on the table; as follows:

On page 130, line 24, insert ''ocean (tidal, wave, current, and thermal),'' after ''wind,''.

On page 134, line 3, insert ''ocean (tidal, wave, current, and thermal),'' after ''biomass,''.

SA 787. Mr. FRIST (for Ms. MURKOWSKI) submitted an amendment intended to be proposed by Mr. FRIST to the bill H.R. 6, Reserved; which was ordered to lie on the table; as follows:

On page 131, lines 18 and 19, strike ''or an Indian tribal government or subdivision thereof,'' and insert ''an Indian tribal government or subdivision thereof, or a Native Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)),''.

SA 788. Mr. DEWINE (for himself, Mr. KOHL, Mr. SPECTER, Mr. LEAHY, Mr. GRASSLEY, Mr. FEINGOLD, Mr. COBURN, Mr. LEVIN, Ms. SNOWE, Mrs. BOXER, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 6, Reserved; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NO OIL PRODUCING AND EXPORTING CARTELS.

(a) SHORT TITLE.—This section may be cited as the ''No Oil Producing and Exporting Cartels Act of 2005'' or ''NOPEC''.

(b) SHERMAN ACT.—The Sherman Act (15 U.S.C. 1 et seq.) is amended by adding after section 7 the following:

''SEC. 7A. OIL PRODUCING CARTELS.

''(a) IN GENERAL.—It shall be illegal and a violation of this Act for any foreign state, or any instrumentality or agent of any foreign state, to act collectively or in combination with any other foreign state, any instrumentality or agent of any other foreign state, or any other person, whether by cartel or any other association or form of cooperation or joint action—

''(1) to limit the production or distribution of oil, natural gas, or any other petroleum product;

''(2) to set or maintain the price of oil, natural gas, or any petroleum product; or

''(3) to otherwise take any action in restraint of trade for oil, natural gas, or any petroleum product;

when such action, combination, or collective action has a direct, substantial, and reasonably foreseeable effect on the market, supply, price, or distribution of oil, natural gas, or other petroleum product in the United States.

''(b) SOVEREIGN IMMUNITY.—A foreign state engaged in conduct in violation of subsection (a) shall not be immune under the doctrine of sovereign immunity from the jurisdiction or judgments of the courts of the United States in any action brought to enforce this section.

''(c) INAPPLICABILITY OF ACT OF STATE DOCTRINE.—No court of the United States shall decline, based on the act of state doctrine, to make a determination on the merits in an action brought under this section.

''(d) ENFORCEMENT.—The Attorney General of the United States and the Federal Trade Commission may bring an action to enforce this section in any district court of the United States as provided under the antitrust laws.''.

(c) SOVEREIGN IMMUNITY.—Section 1605(a) of title 28, United States Code, is amended—

(1) in paragraph (6), by striking ''or'' after the semicolon;

(2) in paragraph (7), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(8) in which the action is brought under section 7A of the Sherman Act.''.

SA 789. Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 6, Reserved; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXCLUSION FOR CERTAIN FUEL COSTS OF RURAL COMMUTERS.

(a) IN GENERAL.—Section 132(f)(1) (defining qualified transportation fringe) is amended by adding at the end the following new subparagraph:

''(D) In the case of an eligible rural commuter, the cost of fuel for a highway vehicle of the taxpayer the primary purpose of which is to travel between the taxpayer's residence and place of employment.''.

(b) LIMITATION ON EXCLUSION.—Section 132(f)(2) (relating to limitation on exclusion) is amended by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting '', and'', and by adding at the end the following new subparagraph:

''(C) $50 per month in the case of the benefit described in subparagraph (D).''.

(c) ELIGIBLE RURAL COMMUTER.—Section 132(f)(5) (relating to definitions) is amended by adding at the end the following new subparagraph:

''(F) ELIGIBLE RURAL COMMUTER.—The term 'eligible rural commuter' means any employee—

''(i) who resides in a rural area (as defined by the Bureau of the Census),

''(ii) who works in an area which is not accessible by a transit system designed primarily to provide daily work trips within a local commuting area, and

''(iii) who is not be eligible to claim any qualified transportation fringe described in subparagraph (A) or (B) of paragraph (1).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses incurred on and after the date of the enactment of this Act and before January 1, 2006.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 15, 2005 at 9:30 a.m. to hold a hearing on Nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 15, 2005 at 9:30 a.m. to hold a business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, June 15, 2005, at 10 a.m. for a hearing titled, ''Is the Federal Government Doing Enough to Secure Chemical Facilities and Is More Authority Needed?''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, June 15, 2005, at 2:30 p.m. to consider the nominations of Linda M. Springer to be Director of the U.S. Office of Personnel Management, Laura A. Cordero to be Associate Judge of the Superior Court of the District of Columbia, and Noel Anketell Kramer to be Associate Judge of the District of Columbia Court of Appeals.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. THOMAS. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 15, 2005, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on Youth Suicide Prevention. Those wishing additional information may contact the Indian Affairs Committee on 224–2251.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Wednesday, June 15, 2005, at 10 a.m., to hear testimony on ''The Future of Medicaid: Strategies for Strengthening American's Vital Safety Net''.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL OCEAN POLICY STUDY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Subcommittee on National Ocean Policy Study be authorized to meet on Wednesday, June 15, 2005, at 9:30 a.m., on Coral Reef Ballast Water, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 15, 2005 at 2:30 p.m. to hold a briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions meet in executive session during the session of the Senate on Wednesday, June 15, 2005 at 9:50 a.m. in SD–430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Detainees'' on Wednesday, June 15, 2005 at 9:30 a.m. in Dirksen Senate Office Building, Room 226. The tentative witness list is attached.

Panel I: Brigadier General Thomas L. Hemingway, Department of Defense Office of Military Commissions, United States Department of Defense, Washington, DC; Rear Admiral James M. McGarrah, Director of Administrative Review of the Detention of Enemy Combatants, Department of the Navy, Washington, DC; the Honorable J. Michael Wiggins, Deputy Associate Attorney General, United States Department of Justice, Washington, DC; the Honorable Glenn A. Fine, Inspector General, United States Department of Justice, Washington, DC.

Panel II: Lieutenant Commander Charles D. Swift, Defense Counsel, Office of Chief Justice Counsel, United States Department of Defense, Washington, DC; the Honorable William P. Barr, Executive Vice-President and General Counsel, Verizon Corporation, Washington, DC; Joseph Margulies, Esq., Principal, Margulies & Richman, Minneapolis, MN; Stephen Schulhofer, Esq., Professor, New York University School of Law, New York City, NY.

SPECIAL COMMITTEE ON AGING

Mr. THOMAS. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet Wednesday, June 15, 2005 from 3 p.m.–5 p.m. in Hart 216 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent request that Lauren Mical, a fellow with Senator JEFFORDS's Environment and Public Works Committee staff, Margaret McCarthy, Katie Gallagher and Matthew Kireker, three interns on Senator JEFFORDS's staff, be granted the privilege of the floor during consideration of H.R. 6.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent that Jerry Hinkle, a fellow in my office, be granted the privileges of the floor through the pendency of the Energy bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I ask unanimous consent that John Plumb, a fellow in my office, be granted floor privileges for the duration of the consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Ken Ende, a fellow in Senator BUNNING's office, be given privilege of the floor during consideration of the Energy bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CALENDAR

Mr. MCCONNELL. I ask unanimous consent that it be in order for the Senate to proceed en bloc to the consideration of the following calendar items: No. 122 and No. 123.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent the bills be read three times and passed, the motion to reconsider be laid upon the table en bloc, the consideration of these items appear separately in the RECORD, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR WILLIAM V. ROTH, JR. BRIDGE

The bill (S. 1140) to designate the State Route 1 Bridge in the State of Delaware as the ''Senator William V. Roth, Jr., Bridge,'' was considered, read the third time, and passed, as follows:

S. 1140

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

SECTION 1. DESIGNATION OF SENATOR WILLIAM V. ROTH, JR. BRIDGE.

The State Route 1 Bridge over the Chesapeake and Delaware Canal in the State of Delaware is designated as the ''Senator William V. Roth, Jr. Bridge''.

SEC. 2. REFERENCES.

Any reference in a law (including regulations), map, document, paper, or other record of the United States to the bridge described in section 1 shall be considered to be a reference to the Senator William V. Roth, Jr. Bridge.

REYNALDO G. GARZA AND FILEMON B. VELA UNITED STATES COURTHOUSE

The bill (H.R. 483) to designate a United States courthouse in Brownsville, TX, as the ''Reynaldo G. Garza and Filemon B. Vela United States Courthouse,'' was considered, read the third time, and passed.

Mr. LEAHY. I am pleased that the Senate today has taken action on H.R. 483, a bill that designates a courthouse in Brownsville, TX, as the ''Reynaldo G. Garza and Filemon B. Vela United States Courthouse'' in honor of these two judges, including the first Mexican-American named to a Federal judge. Unfortunately, the Senate has repeatedly delayed action on this bill. Congressman SOLOMON P. ORTIZ first introduced a similar bill honoring these judges in 1998. It is now 7 years later and months after both these Judges' deaths in 2004.

Both this Congress and last, I have introduced a companion bill with Congresswoman NORTON that designates the new annex to the E. Barrett Prettyman United States Courthouse in Washington, DC, the ''William B. Bryant Annex.'' This historic figure should be honored, and that honor should occur during his lifetime. Regrettably, the Senate has yet to act on this bill, S. 478, which I introduced on March 1, 2005.

In order to prevent repeating the regrettable timing of the Judge Garza and Vela Courthouse naming, I urge that the Senate move ahead on this worthy commendation of Judge Bryant's lifetime of public service.

Judge Bryant continues to perform his duties as a senior Federal judge at the age of 93. His commitment to ending racial segregation and his belief in public service and the law has carried him through a historic career. He was the first African-American Chief Judge for the United States District Court in DC. The current Chief Judge Thomas F. Hogan and all of Judge Bryant's fellow judges recognize his truly remarkable lifetime achievements and have unanimously requested naming the newly constructed annex in his honor.

Naming the new annex to the E. Barret Prettyman Courthouse after Judge Bryant is long overdue. I urge the Senate to take this action without further delay and allow Judge Bryant the commendation he deserves.

ORDERS FOR THURSDAY, JUNE 16, 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. tomorrow, Thursday, June 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 H.R. 6, the Energy bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Tomorrow, the Senate will resume consideration of the Energy bill. Pending is the Cantwell amendment on consumption reduction. We expect to lock in a time certain for a vote on that amendment in the morning. Following the disposition of the Cantwell amendment, we will continue working through other amendments to the bill. Rollcall votes should be expected throughout the day tomorrow.

As was announced this morning, we will complete action on this important legislation next week; therefore, Senators who wish to offer an amendment should contact the bill managers as soon as possible.

I also remind everyone there will be no rollcall votes on Friday in order to accommodate the Democrat retreat.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate at 6:35 p.m., adjourned until Thursday, June 16, 2005, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate Wednesday, June 15, 2005:

DEPARTMENT OF ENERGY

DAVID GARMAN, OF VIRGINIA, TO BE UNDER SECRETARY OF ENERGY.

UNITED STATES POSTAL SERVICE

CAROLYN L. GALLAGHER, OF TEXAS, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 8, 2009.

LOUIS J. GIULIANO, OF NEW YORK, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2005.

LOUIS J. GIULIANO, OF NEW YORK, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2014.

EXECUTIVE OFFICE OF THE PRESIDENT

BEN S. BERNANKE, OF NEW JERSEY, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

RECOGNIZING SUE WAGNER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Sue Wagner of Saint Joseph, Missouri. Ms. Wagner is a retired teacher of the Saint Joseph School District and in a few days will receive the Saint Joseph YWCA Women of Excellence Award for Women in Community Service and Volunteerism.

Although she retired from teaching, Ms. Wagner is still extremely active in the community. She regularly reaches out to and positively impacts students throughout the Saint Joseph area. Ms. Wagner currently serves as a student mentor, a Cotillion for Achievement committee member, and a volunteer docent for the Albrecht-Kemper Art Museum. Through her hard work, Ms. Wagner has touched the lives of over 500 students this year.

Ms. Wagner also serves as an affiliate director for Missouri Future Problem Solving, directing a competition program for the State of Missouri. She serves on multiple committees and organizations ranging from Community LINK, to SAGE, to Trails West, to the Landmarks Commission. In addition to all of these commitments, Ms. Wagner still finds time to serve as president of her local neighborhood association.

Mr. Speaker, I proudly ask you to join me in congratulating Sue Wagner. Her commitment to the Saint Joseph community exemplifies the qualities of service and dedication. I am honored to represent her in the United States Congress.

TRIBUTE TO LONNIE McCOY BRIGHT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. TOWNS. Mr. Speaker, I rise to acknowledge the accomplishments of Lonnie McCoy Bright. Lonnie McCoy Bright, affectionately known as ''Coy,'' is a native of Belleross, North Carolina. He is the son of the late Zerus and Lona Mae Bright, and was raised in New York City. He received his education in the New York City public schools, culminating with his graduation from George Westinghouse Vocational High School. Then, he devoted 30 years of loyal service to United States Postal Service.

Mr. Bright is a former Board member of the NAACP Brooklyn Branch, a founding member and Treasurer of Congressman Edolphus Towns' Men's Caucus, former Treasurer and Worshipful Master of the African 459 Lodge #63, and President Emeritus of the Masters Council.

Currently, Mr. Bright is an active, dedicated member of the Berean Baptist Church. He is on the Trustee Board and serves as the Treasurer of the church. He has organized numerous voter registration drives in his community, East New York, and the Bedford-Stuyvesant sections of Brooklyn. He has also sponsored ''Making Books Come Alive'' a day of reading and dramatizing stories for children. He loves to cook and is an annual participant in the Men Who Cook-Cook-Offs.

His greatest love, after his Lord and Savior Jesus Christ, is his wife Vivian Y. Bright, and they are the proud parents of Teresa, Gary, James (deceased), Marvin Jamal and Tiffany.

Mr. Speaker, it is my pleasure to recognize Mr. Bright's remarkable leadership and service.

IN RECOGNITION OF THE COLORADO GOLF HALL OF FAME

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise today in recognition of the Colorado Golf Hall of Fame and its newly acquired home at the Riverdale golf courses in Brighton.

As an avid golfer I could not help but notice this news, and at the risk of allowing my love of the game to get the better of me, I think it is appropriate to acknowledge the positive contributions that golf has made to communities.

The Colorado Golf Hall of Fame has been in operation for 33 three years and has honored 107 members. Yet, due to a space constraint, the golf memorabilia had been stored in boxes at the Colorado Golf Association headquarters, unavailable for public viewing. Thanks to the combined efforts of the Riverdale Golf courses, Adams County Board of Commissioners, the Colorado Golf Association and the Hall of Fame President, John Edwards, the Colorado Golf Hall of Fame is now featured in a prominent display within the Riverdale golf courses clubhouse.

The Hall of Fame honors the 107 deserving members who have made important contributions to Colorado's sports history. Pictures of each hall of fame member are now front and center under glass in the clubhouse of the Riverdale golf courses. In addition, the Hall of Fame showcases multiple displays honoring golf greats, highlights in golf history and a golf history timeline. The current displays honor female golfer Mildred ''Babe'' Zacharias and the history of Cherry Hills Country Club.

Hall of Famer and winner of three Colorado Opens, Bill Bisdorf remarked, ''If you don't have something lke this, it's forgotten, just like everything else. It's out of sight, out of mind.''

Thanks to the hard work of many, Colorado's rich golf history will no longer be ''out of sight, out of mind.'' It is very exciting for golf-enthusiasts like myself to have access to that history. What is more, it provides just another excuse to play at the Riverdale courses, the Dunes and the Knolls—two of the finest public courses in Colorado.

Mr. Speaker, I ask my colleagues to join with me in thanking Riverdale Golf Courses and the Colorado Golf Hall of Fame for creating a fitting location to preserve and display Colorado's golf history and artifacts.

RECOGNIZING AMANDA GUMM

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Amanda Gumm. In a few days, Ms. Gumm will receive the Saint Joseph YWCA Women of Excellence Award for Future Leaders.

Amanda is currently a student at Benton High School and has served as Student Body President. As Student Body President, Amanda was responsible for reading the daily announcements to all of Benton High School; I've been told that one faculty member cited Amanda as quite possibly the best public speaker Benton has seen in years. She is also widely recognized for her positive attitude and dynamic personality, and motivates her peers to excel.

Amanda aspires to be the Governor of Missouri, and recently received the 2005 Missouri Award for Outstanding Achievement in Citizenship. Amanda will soon join the other recipients of the award and their families for a luncheon at the Governor's Mansion in Jefferson City.

Mr. Speaker, I proudly ask you to join me in recognizing Amanda Gumm. Her commitment to excellence exemplifies the qualities of service and dedication. I am honored to represent her in the United States Congress.

A TRIBUTE TO THOMAS E. CAVE, SR.

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. TOWNS. Mr. Speaker, I rise to acknowledge Thomas Cave for his outstanding community service. Mr. Cave is a native of Augusta, Georgia, and has been a resident of the Bedford-Stuyvesant community for the past fifty-five years. In Bedford-Stuyvesant, he has volunteered his time and shared his experience in order to improve the quality of life of his community. He is particularly concerned with the plight of youth and senior citizens.

Mr. Cave has served the Unity Democratic Club for over twenty-five years as Chairperson of the Men's Council and President of the Club for four years. Under his tutelage several programs were created, including the Scholarship Program at Boys and Girls High School, and the Chess Club Program at P.S. 5.

Mr. Cave has received many awards, including Learning Leader from P.S. 5 for his dedication and commitment to the school and community. He has also secured a Certificate of Recognition from State Senator Ada L. Smith and the Exemplary Service Award from Unity Democratic Club.

In addition to his political and civic involvement, Mr. Cave is an avid traveler and devoted family man. As a result, we proudly recognize him today.

CONGRATULATING ROCHE ON ITS 100TH ANNIVERSARY IN THE UNITED STATES

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise today to offer my congratulations in honor of the 100 Anniversary of Roche, one of the leading healthcare innovators in the world. Roche is a specialty care company that employs over 10,000 people in America and 60,000 globally. I am pleased that Boulder is home to Roche Colorado, which employs over 300 people, all of whom are dedicated to improving the quality of health care for millions of people.

For a century now, Roche has invested in advanced research and manufacturing techniques that have yielded breakthroughs in healthcare. Founded in Switzerland in 1896, Roche's roots in America are deep and strong, dating back to the opening of its New York office in 1905. From its start in Manhattan in 1905, Roche has extended its reach to nine sites across the United States, in Colorado, New Jersey, Indiana, South Carolina, and California.

As an industry leader, Roche Colorado researches and manufactures products such as the first in an entirely new class of drugs to combat HIV, a potent oral antiviral that is our most promising weapon against the threat of pandemic influenza, and a treatment that preserves the sight of people with AIDS infected with a virus that usually leads to blindness. These inventions are just a few examples of how Roche helps provide Americans with the highest quality medical treatment in the world.

Roche's ties to Boulder date back to 1946 as Arapahoe Chemicals and subsequently Syntex, which joined Roche in 1994. I applaud Roche Colorado for being an active corporate citizen, supporting the Boulder County AIDS Project, the Women's Health Project, and the Grillo Information Center which provides educational help to individuals suffering from cancer, all efforts that truly enhance our quality of life in Boulder and build our sense or community.

I commend the people of Roche Colorado in Boulder and Roche employees worldwide for their impressive achievements, and wish them the very best on this special 100th Anniversary.

THE AMERICAN FOREIGN SERVICE WITHDRAWAL OF AMBASSADOR EVANS' AWARD

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. PALLONE. Mr. Speaker, I rise this evening to express my disappointment with the American Foreign Service Association, and its decision to withdraw awarding a ''Constructive Dissent'' award to U.S. Armenian Ambasador John Evans.

Ambassador Evans was due to receive the Christian A. Heter Award for intellectual courage, initiative, and integrity later this week. The award was a result of courageous statements he made regarding the recognition of the Armenian Genocide.

In a series of public statements, Ambassador Evans, who has studied Russian history at Yale and Columbia and Ottoman history at the Kennan Institute, stated, ''I will today call it the Armenian Genocide.'' Mr. Speaker, Ambassador Evans has studied the history of Armenia, and based on his substantial studies of the issue, he was willing to go on the record and define the actions taken against Armenians as genocide.

The Armenian Genocide was the systematic extermination—the murder—of one-and-one-half million Armenian men, women and children.

To this day, the Repulic of Turkey refuses to acknowledge the fact that this massive crime against humanity took place on soil under its control, and in the name of Turkish nationalism.

Unfortunately, some 90 years later, the U.S. State Department continues to support Turkey's denials despite all evdence to the contrary. It's not likely that the State Department was happy with their Ambassador to Armenia acknowledging the Armenian Genocide. Therefore, Evans retracted his remarks after receiving substantial pressure from the State Department.

Well, now the selectton committee at the American Foreign Service Association has decided to withdraw the award with no reason for its actions. I find the timing of the decision peculiar. The sharp turnaround came right before Turkish Prime Minister Recep Tayyip Erdogan arrived in Washington for a meeting with President Bush. Based on past history, it's clear that the State Department, the Bush Administration, and the powerful pro-Turkish lobby pressured A–F–S–A to withdraw Ambassador Evans' Award.

It is simply unacceptable for this administration to continue to penalize the ambassador for his comments. Ambassador Evans did a courageous thing; his statements did not contradict U.S. policy, but rather articulated the same message that this Administration has sent to the public. The only difference in this case is that Ambassador Evans assigned a word to define the actions taken against the Armenians.

This was a refreshing break from a pattern on the part of the State Department of using evasive and euphemistic terminology to obscure the full reality of the Armenian Genocide, Ambassador Evans pointed out that, ''No American official has ever denied it,'' and went on to say that, ''I think we, the U.S. government, owe you, our fellow citizens a more frank and honest way of discussing this problem.''

Ambassador Evans was merely recounting the historical record, which has been attested to by over 120 Holocaust and genocide scholars from around the world. By doing this, he earned a prestigious award that was taken from him because of politics and denial.

I want to add my voice to all those who, in Ambassador Evans' own words, (and I'm quoting) ''think it is unbecoming of us as Americans to play word games here. I believe in calling things by their name.'' Evans was right, and the American Foreign Services Association was correct in awarding him the Christian A. Heter Award. We should encourage our Ambassadors to speak the truth, and, more boadly, end, once and for all, our complicity in Turkey's campaign of genocide denial.

Mr. Speaker, Ambassador Evans has been penalized for telling the truth. The American Foreign Service Association has set a terrible example by retracting Ambassador Evans' award. I guess even in America the Turkish Government is able to stifle debate.

[From the California Courier]

RESCINDING OF ''DISSENT'' AWARD TRIGGERS INTERNATIONAL UPROAR

(By Harut Sassounian)

Last week, in this column, I disclosed the news that the American Foreign Service Association had just reversed itself, taking the unprecedented step of withdrawing the ''Constructive Dissent'' award from John Evans, the U.S. Ambassador to Armenia.

This was a shocking development, as this award is given to high-ranking diplomats for their ''intellectual courage, initiative and integrity in the context of constructive dissent [and] for demonstrating the courage to speak out and challenge the system on a subject related to their work.''

Last February, Ambassador Evans had forthrightly and appropriately referred to the Armenian Genocide, as a genocide, to the chagrin of the Turkish government and its supporters in the Bush administration. It was highly ironic that the U.S. Ambassador would lose this award for the very reason that it was given to him in the first place—''dissent.'' So much for encouraging honesty and integrity at the State Department.

I posted my last week's column on the groong web site in the evening of June 6, a couple of hours after being informed by AFSA that it had just decided to rescind the award. Little did I know then that within a couple of days, my column would trigger a national and international uproar and would be picked up by scores of newspapers and wire services from around the world, such as the Washington Post, the Associated Press, the UPI, Hurriyet, Radio Free Europe/Radio Liberty, Turkish Daily News, AzerTag (Azerbaijan), Webindia123 (India), and Armenian newspapers in several countries. Even the spokesman for the State Dept., Sean McCormack, was asked about this controversial issue during his daily press briefing on June 9.

Despite attempts AFSA and State Dept. officials to cover up the real reasons for the withdrawal of the award, it has become clear that the award was rescinded after direct pressure was brought to bear on AFSA from the State Dept. When John Limbert, the president of AFSA, was asked by the Washington Post to explain the reason for his group's action, he replied: ''State Department officials would have to explain their concerns.'' The Award Committee is composed of current and former State Department officials. L. Bruce Laingen, who

chaired the selection committee, was more forthcoming.

He told the Post that ''very serious people from the State Department in particular'' expressed concerns about this award being given to Amb. Evans. Laingen said that the award committee had not focused on the criterion that dissent had to be expressed within the system, until it was reminded of that by the State Department!

Once again, as a result of the over-reaction of Turkish officials and their Washington cronies, the issue of the Armenian Genocide was publicized worldwide. All of the above newspapers and wire services, even the Turkish and Azeri ones, reported that the award had been withdrawn from Amb. Evans because of his comments on the Armenian Genocide. The Washington Post wrote that Amb. Evans had characterized ''as genocide the deaths of 1.5 million Armenians in the waning days of the Ottoman Empire in 1915.'' It included in its article lengthy quotations from the statements Amb. Evans had made last February on the Armenian Genocide—the same quotations that I had cited in my last week's column.

The Washington Post also wrote: ''the timing of the association's decision appeared curious, given it came just before Turkish Prime Minister Recep Tayyip Erdogan arrived in Washington for a meeting with President Bush to bolster strained U.S.-Turkish relations. John W. Limbert, president of the association, said that no one at the organization can remember an award being withdrawn after it had been announced. 'It is not something we do easily,' he said.''

Ironically, if the State Department thought that by withdrawing this award it would avoid the awkward situation of honoring the U.S. ambassador to Armenia for acknowledging the Armenian Genocide, at a time when the Turkish Prime Minister was meeting with Pres. Bush, it actually ended up creating a bigger embarrassment, as the national and international media reported AFSA's controversial decision, while the Turkish leader was still in Washington.

By withdrawing the ''Dissent'' award, AFSA and the State Department made fools of themselves in front of the whole world. Their unwarranted action not only undermined the credibility of the award, but also the reputations of both AFSA and the U.S. government which acted in this case with intolerance more typical of oppressive third world regimes.

[From the California Courier]

FOREIGN SERVICE AGENCY WRONGLY WITHDRAWS AWARD FROM AMB. EVANS

(By Harut Sassounian)

The American Foreign Service Association took the very unusual step this week of rescinding the prestigious ''Constructive Dissent'' award that it had decided to bestow upon U.S. Ambassador to Armenia John Evans, during a special ceremony that was to be held at the Benjamin Franklin Diplomatic Reception Room of the State Department on June 17.

The AFSA is the professional association of the United States Foreign Service. It represents 26,000 active and retired Foreign Service employees of the Department of State and Agency for International Development. The Secretary of State usually attends the group's annual award ceremony.

Last February, during his tour of various Armenian communities in the United States, Amb. Evans publicly referred to the extermination of the Armenians in Ottoman Turkey as genocide. ''I will today call it the Armenian Genocide,'' the U.S. Ambassador said. ''I informed myself in depth about it. I think we, the U.S. government, owe you, our fellow citizens, a more frank and honest way of discussing this problem. Today, as someone who has studied it, . . . there is no doubt in my mind what happened. . . . I think it is unbecoming of us, as Americans, to play word games here. I believe in calling things by their name.'' Referring to ''the first Genocide of the 20th century,'' Amb. Evans said, ''I pledge to you, we are going to do a better job at addressing this issue.''

Amb. Evans knew that his frank comments ran counter to the official line of recent U.S. administrations that have avoided using the term genocide to characterize the mass killings of Armenians. After complaints from Turkish officials to the U.S. government, Amb. Evans was forced by his superiors to issue ''a clarification,'' stating that he used the term ''genocide'' in his personal capacity—and he now found that to be ''inappropriate.'' To make matters worse, Amb. Evans was then forced to correct his clarification,'' replacing the word ''genocide'' with ''Armenian tragedy.''

Since Amb. Evans had dared to challenge the position of his own superiors, he was nominated for the AFSA's coveted ''Constructive Dissent'' award. The AFSA's web site explains that this award ''publicly recognizes individuals who have demonstrated the intellectual courage to challenge the system from within, to question the status quo and take a stand, no matter the sensitivity of the issue or the consequences of their actions.'' The AFSA states: ''The purpose of the Dissent Awards is to encourage Foreign Service career employees to speak out frankly and honestly.'' It also states that the Constructive Dissent Awards ''offer an opportunity to publicly recognize and honor the courageous and thoughtful actions of our colleagues, over and above their responsibilities.''

Last week, Haygagan Jamanag, a newspaper published in Yerevan, reported that Amb. Evans was the winner of this year's ''Constructive Dissent'' award. Since the name of the honoree was not yet officially announced, I contacted the AFSA in Washington, D.C., and was told that Amb. Evans was indeed the winner of this prestigious award. I was also told that he was selected because of his stand on the Armenian Genocide.

As this column was about to go to print, I received an unexpected call from an AFSA official in Washington, informing me that the Award Committee had just met and decided to reverse itself and ''withdraw the award'' from Amb. Evans. When I asked why, the answer was ''no comment.''

We can safely speculate that the same cast of characters at the upper echelons of the Bush Administration, who had earlier forced Amb. Evans to withdraw his remarks on the Armenian Genocide, had now succeeded in forcing the AFSA to rescind this award.

Incredibly, what they were taking away from Amb. Evans was not just any award. It was an award for dissenting from the Bush administration's immoral position on the Armenian Genocide. It was an award for simply telling the truth Amb. Evans was basically repeating what President. Ronald Reagan had said back in 1981 in his Presidential Proclamation, acknowledging the Armenian Genocide. It would seem that Bush administration officials are not afraid to go after an Ambassador, but they would not dare to take on President. Reagan who committed the same sin of telling the truth!

It is a telling sign of decadent times that an individual has to be given an award for having ''the courage'' to tell the truth—and worse yet, have that award unfairly taken away from him.

All those who side with truth and justice, should complain to the AFSA (berger@afsa.org) for its withdrawal of Amb. Evans' award and ask that Secretary of State Condoleezza Rice (http://contact-us.state.gov) have it reinstated promptly.

RECOGNIZING JOSHUA FISHER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Joshua Fisher of Weston, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 249, and in earning the most prestigious award of Eagle Scout. Joshua achieved the rank of Eagle Scout on October 14, 2004.

Joshua has been very active with his troop, participating in many scout activities. Over the many years that Joshua has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

For his Eagle Scout project, Joshua organized the creation of a new welcome sign, the pouring of concrete slabs for picnic tables, and the installation of a new flag pole with lighting around t, all at Bless Park in Weston.

Mr. Speaker, I proudly ask you to join me in commending Joshua Fisher for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

A TRIBUTE TO DR. ROGER WITHERSPOON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. TOWNS. Mr. Speaker, I rise to honor Dr. Roger Witherspoon. Dr. Witherspoon completed his undergraduate studies at North Carolina Agricultural and Technical State University. He is a graduate of Adelphi University's Graduates School of Social Work in Garden City, New York and earned his doctorate degree from the University of Massachusetts, Amherst. Dr. Witherspoon previously was Associate Dean of Student Affairs at CUNY Lehman College. He is currently the Vice-President of Student Development at CUNY John Jay College of Criminal Justice where his responsibilities include chairing the Communication Skills and Counseling Department, administrative oversight of Student Activities, Freshman Program, Children's Center, Career Advisement, Women's Center, Disabled Student Services, Financial Aid, Health Services, Co-op Education/Internships, and Student Support Services.

Prior to his appointment as Vice-President, Dr. Witherspoon taught both graduate and undergraduate courses in education and social work for over 17 years. He has lectured at Columbia University, St. John's University, San Francisco State, Smith College, Fordham University, and many others. His publications on

urban education have appeared in national and local journals. Two of his recent publications are ''Do You Know If Your Child Has a Credit Card,'' in the New York Times and ''Handling Cultural Diversification Efforts of College Campuses,'' in the Journal of Mediation.

Dr. Witherspoon was a member of the Board of the Queens Children's Psychiatric Center. He has also served on many boards that include childcare, teen pregnancy, and community mental health.

Dr. Witherspoon was selected as a participant in the 23rd Annual Session of the Harvard University's Institute for Educational Management, Class of 1992.

Dr. Witherspoon has participated in conferences held on ''International Perspectives: Crime, Justice and Public Order'' in Russia, Ireland, Turkey, Italy, England, Hungary and most recently Romania. He was involved in the establishment of a branch campus in Puerto Rico that has awarded 4,400 Associates Degrees to police cadets and currently a program for New York City Police Officers to teach cultural diversity and leadership.

Dr. Witherspoon has been involved at national and local levels consulting on issues of urban education and social work, with a focus on urban minorities. His visits to South Africa, Ireland, Dominican Republic, Namibia, Turkey, South Korea, Slovenia, England, Guyana. Jamaica, and throughout the Caribbean have only increased his awareness of International Education and Criminal Justice.

Mr. Speaker, Dr. Roger Witherspoon's continued his commitment to higher education and social development have made him more than worthy of our recognition today.

PERSONAL EXPLANATION

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. UDALL of Colorado. Mr. Speaker, because participating in events connected to the ongoing meeting of Western Governors in Colorado, I was unable to be present for two votes on Monday, June 13, 2005.

If I had been present, I would have voted as follows:

On S. 643, to amend the Agricultural Credit Act of 1987 to reauthorize State mediation programs, I would have voted ''yes.''

On H.R. 2326, to designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the ''Floyd Lupton Post Office,'' I would have voted ''yes.''

TRIBUTE TO MRS. LIZ KOVACH, FOR HER 50 YEAR COMMITMENT TO PORT COLUMBUS INTERNATIONAL AIRPORT

HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Ms. PRYCE of Ohio. Mr. Speaker, I rise today to honor and recognize the tremendous achievement of Liz Kovach, a successfull and respected employee at the Port Columbus International Airport. As an ambassador to the Airport Authority and Columbus, Ohio she has represented Eastern Airlines, Continental Airlines and America West for half a century with first class style.

Mrs. Kovach began her career at Port Columbus exactly 50 years ago today working for Eastern Airlines at the old terminal on Fifth Avenue. In late 1990, when Eastern Airlines declared bankruptcy, Liz's diligence and dedication were greatly appreciated when she assisted with the liquidation of the airline's assets before being hired by Continental Airlines in April of 1991. Her career again took off in November of 1992 when she accepted a new position with America West. Her effervescent character and strong intellect were recognized in 1993, as she was honored by America West as the Best of the Best Employees. She was one of only two customer service representatives to receive the honor out of 10,000 employees.

In Liz's 50 year commitment to Port Columbus, she has been witness to the transformation of the airline industry. She has seen the airport rise to ''international status,'' its entrance into the Jet age, concourse and runway expansion, and the completion of the new state-of-the-art control tower.

Mrs. Kovach, respectively known as ''Mama Liz,'' is revered by her colleagues as someone you can always count on for a smile and kind words. She has been described as an irreplaceable talent to the customer service team. In addition to her noted superior work ethic and admirable character, she has been very active with the Columbus Zoo. Through her perseverance, she negotiated the travel of rare animals by plane to be brought to the zoo.

I am grateful for the time, commitment and grace Liz has given to Port Columbus International Airort and her community. She exemplifies what public service and professionalism are all about.

RECOGNIZING ALEXANDER J. McCURN FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Alexander J. McCurn of Kansas City, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 261, and in earning the most prestigious award of Eagle Scout.

Alexander has been very active with his troop, participating in many scout activities. Over the many years Alexander has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Alexander J. McCurn for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

A TRIBUTE TO JENNIFER FLYNN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. TOWNS. Mr. Speaker, I rise to honor Jennifer Flynn. For close to two years, Jennifer Flynn ended her workday by standing for six hours in front of New York City's largest welfare center. She and other activists took their place on the sidewalk whether it rained or snowed to protest the lack of legally mandated emergency housing for homeless people living with AIDS.

Ms. Flynn is one of 10 outstanding individuals from across the country chosen to receive this year's Robert Wood Johnson Community Health Leadership Program award.

The unusual strategy, combined with litigation and public education, resulted in the City being found in contempt of a court order—and insured that nearly every homeless New Yorker living with AIDS who needed emergency housing received it.

Ms. Flynn didn't stop there. She went on to co-found and direct the New York City AIDS Housng Network (NYCAHN), which has seen to it that housing is provided to every single New Yorker with HIV/AIDS who requests shelter.

HIV has hit low-income people of color harder than any other demographic group in New York City. A full 92 percent of New Yorkers living with HIV/AIDS are from communities of color.

Of Ms. Flynn, Christine Quinn, Councilmember for the 3rd District says: ''Jennifer Flynn has managed to be a constant activist for the rights of homeless and low-income people living with HIV/AIDS, while building an organization in this time of financial hardship. She is fearless in her advocacy.''

Teaching people with HIV/AIDS to advocate on their own behalf has been key to Ms. Flynn's success. In fact, NYCAHN is a membership organization led by people living with HIV/AIDS. She has trained more than 1,000 of NYCAHN's members in community organizing and advocacy.

Recently, she and her staff pressured the New York City Council to release a report about its emergency housing system. NYCAHN's efforts led to the introduction of the first bill in U.S. history that insures permanent housing for people living with AIDS/HIV. She has also exposed the dangerous conditions that exist in illegal rooming houses the City was using to house formerly incarcerated people with AIDS/HIV.

One woman who works at NYCAHN and finds shelter for people living with HIV/AIDS every day says, ''We are all willing to do this grueling work because we know that Jennifer is working 10 times harder all of the time. She is there fighting with her heart to make sure that we have access to housing and to our human rights.''

The Robert Wood Johnson Community Health Leadership Program distributes $1.2 million each year o innovators who have creatively surmounted obstacles to meet the challenges of providing health care and social services to the underserved members of their communities. Ms. Flynn and this year's other winners will be honored at a June event in Washington, D.C. She will receive $105,000 to

apply to her program and a $15,000 personal award.

Ms. Flynn was chosen from nearly 700 people nominated this year. Since 1992, the program has given 133 awards in 45 states, Puerto Rico and Washington, D.C. Award winners are nominated by civic leaders, health professionals, government representatives and others inspired by their efforts to provide essential health services to their communities.

Mr. Speaker, Ms. Flynn is motivated by the disparity and inconsistencies that she observes in her community. She believes that a commitment to help those who are regarded as less fortunate is a small price to pay. Her commitment in turn inspires others to continue to strive for a better future. Ms. Flynn is more than worthy of our recognition today.

THE CARIBBEAN MULTI-NATIONAL BUSINESS CONFERENCE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. RANGEL. Mr. Speaker, I rise today to honor the accomplishments and success of the Caribbean Multi-National Business Conference, organized by the New York Carib News, which will celebrate its tenth anniversary this year in the U.S. Virgin Islands between November 10 and 13. Thanks to the hard work and dedicated effort of the organizers of this event, a real dialogue between U.S. and Caribbean businesses has emerged that promises to generate plenty of economic benefit for both the U.S. and the island nations of the Caribbean.

Karl and Faye Rodney, the publishers of the New York Carib News have brought together hundreds of elected officials, civic leaders, entrepreneurs, and business executives from the U.S. and the Caribbean to explore the possibilities and opportunities for economic growth and expansion in the Caribbean. This year's conference will be held in St. Thomas and promises to be an extraordinary success.

Personally, I have found the conference extremely influential in building and supporting political and econbmic relationships between this country and the nations of the Caribbean. I have also had the honor of participating in these successful conferences and know that they are extremely enlightening and educational endeavors that nurture a growing and important global sector in the world.

This conference has repeatedly addressed important issues of concern to our mutual economic interets. It has concentrated on the challenges and problems of foreign investment, market access, and private sector support. The attendees at the conference come with bright ideas and innovative solutions to these problems and to addressing our common concerns.

I encourage my colleagues and businesses throughout the country to consider attending this year's conference. I submit for the RECORD a Carib News article providing an assessment of this year's planning and the opportunities available for corporations, government leader, and citizens, written by Tony Best, who always participates and provides wise guidance and counsel.

SET FOR ST. THOMAS, U.S. VIRGIN ISLANDS

A decade after it was launched to build bridges between Caribbean and the U.S. businsses the Caribbean Multi-National Business Conference is moving towards an important milestone in its evolution.

It is the 10th anniversary of an innovation in economic and social developmet partnerships, spurred by links between the large, mediumsized and small businesses in an area that stretches from New York, Washington DC, Miami, Colorado, Chicago, Ohio, Texas, New Jersey, and other parts of the U.S. to such nations and territories as Jamaica, Barbados, St. Lucia, St. Croix in the U.S. Virgin Islands, Grenada, St. Marteen, the Bahamas, and St. Kitts-Nevis.

The annual Caribbean Multi-National conference which brought together about 4,000 Caribbean and U.S. business amd Government leaders since 1995 to discuss everything from investment, Hemispheric trade and bilateral economic and social partnerships to U.S.-Caribbean relations and health and education challenges is scheduled to be held at Caribbean regional integration, in the U.S. and the Caribbean, especially the members of CARICOM is bemg held this year in St. Thomas in the U.S. Virgin Islands between November 10–13.

The conference has become a highly sucessful annual event for those interested in creating profitable business parnerships in the Caribbean and for goverment representatives whose goal is to improve the quality of people's lives, said Pamela Richards, U.S. Virgin Island's Commissioner of Tourism, who is also Chairman of the Board of the Caribbean Tourism Organization.

We have seen the positive results of these meetings, ever since the 1998 meeting in St. Croix. We are delighted that we are being given another opportunity to serve as hosts.

With issues that range from foreign investment, access to markets, the essential role of the private sector in economic expansion and job creation to the march forward in information communications technology on the table for consideration, this year's meeting in St. Thomas, Dr. Karl Rodney, Publisher of the New York Carib News and the driving force behind the conference's 10-year record of success, said that they expect the sessions in St. Thomas to attract the largest gatherings of participants.

We have already seen an exceptionally high level of interest, he explained. One reason is the appeal of St. Thomas. Another is the track record of providing participants with a unique chance to explore commercial deals and to share ideas about new business ventures in several fields, be it retailing, manufacturing, tourism, and other services and import-export.

The presence of many members of the U.S. Congress, senior Caribbean government ministers and their advisers would once again allow them to have a meaningful exchange of ideas about moving U.S Caribbean relations forward. U.S. Congressional delegate from the U.S. Virgin Islands, Representative Dr. Donna Christian Christensen, agreed. We in Congress and outside of it, know the value of the conference both in terms of the business ventures that evolve out of the private meetings and the public sessions and the discussions which take place during the Dialogue between elected representatives and other Government officials from the U.S. and the Caribbean, said Congresswoman who has attended almost all the conference. That's why we in the U.S. Virgin Islands consider it an honor to welcome the participants from across the U.S. and the Caribbean.

HONORING PAUL J. WILMES

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Paul J. Wilmes of Nodaway County, Missouri. Paul will soon retire from a 28 year career of distinguished service to the rural residents and communities of 22 counties in northwest Missouri. Although we wish that Paul could stay on at USDA, he has certainly given back to his community, his state, and his Nation, and well deserved retirement awaits him, though given Paul's reputation for being an active citizen in his community, I doubt this is the last we will hear from Paul Wilmes.

Paul was born on April 22nd, 1953 to Francis and Clara Wilmes of Nodaway County; a county I have been fortunate enough to represent since 1992 at the state and now federal level. Paul grew up in a devout Catholic farm home, and attended St. Gregory's Catholic elementary school, followed by Maryville High School where he was active with football and wrestling. Upon his graduation from Maryville High School, Paul enrolled in Northwest Missouri State University, where he was a member of the Phi Sigma Epsilon Fraternity. He graduated from Northwest with a Bachelor's Degree in Animal Science.

On July 10, 1976 he married Robin Lamb. Today, Paul and Robin have two children, Meredith and Kyle, and they remain active in their local community in Nodaway County. Paul has served as a Trustee for the endowment for St. Gregory's School, Advisor to the Area Vocation Technical School, Committee Advisor for the Parents as Teacher Program, a Bantam League football coach, as well as many other church committees and the Finance Board at St. Gregory Barbarigo.

Paul began his career with USDA on April 18, 1977 working for the Farmers Home Administration. He was promoted to the position of County Supervisor in Nodaway County, and later advanced to the position of District Farm Loan Specialist within the Farmers Home Administration. Paul was selected as the District Director of that agency, and on April 30, 1995, Paul began his tenure supervising 22 rural counties in Northwest Missouri. Over the years, the agency has changed its name and refocused its mission, but Paul has remained constant as the leader and director of what is now known as Area 1 of USDA Rural Development.

Mr. Speaker, I proudly ask you to join me in commending Paul J. Wilmes, a remarkable citizen who exemplifies the qualities of dedication and service. While rural Missouri will miss his leadership, experience, and knowledge, I will still have the great honor of representing Paul in the United States Congress.

A TRIBUTE TO JOANN LUM

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. TOWNS. Mr. Speaker, I rise to honor JoAnn Lum. Ms. Lum, the daughter of Chinese immigrants, recently won the Nation's

highest community health leadership honor for mobilizing sweatshop workers and Lower Manhattan victims of 9/11 to seek improved access to benefits and quality health services as part of a larger effort to gain control of their lives.

Ms. Lum is one of 10 outstanding individuals from across the country chosen to receive this year's Robert Wood Johnson Community Health Leadership Program award.

While growing up in California, Lum observed the hardships suffered by her father and other relatives as they put in long hours as 'houseboys,' busboys and garment workers. During a stint in the Manhattan Borough President's office in the early 1990s, she volunteered as an English teacher for Chinese immigrants and was inspired by the impact of workers organizing to improve conditions.

Ms. Lum founded the National Mobilization Against SweatShops (NMASS) to harness the power of worker campaigns to create healthier workplaces and communities. She works primarily with Latina, Afro-Caribbean, Polish and African American women and men. In one project, she is targeting injured workers' access to benefits and medical treatment, campaigning to overhaul the Workers' Compensation system. In addition, she is calling for an end to 'forced overtime' and other unfair practices, to prevent injuries among more workers.

A testament to Ms. Lum's work is a statement from a Polish immigrant who suffered chemical injuries as an asbestos worker and received assistance from Ms. Lum's organization: ''I joined NMASS after being denied my Workers'' Compensation benefits numerous times. I was alone and felt powerless, with no money or health care. JoAnn not only assisted me to get needed medical treatment, but has opened my eyes to how disabled workers like myself can join together to advocate for fair health benefits.''

Another NMASS initiative launched by Lum, called ''Beyond Ground Zero,'' is a coalition of pubic health advocates, doctors, clergy and community groups that came together in response to the health crisis among Lower Manhattan's poor population following 9/11.

The coalition compelled private entities to create disaster health insurance for individuals working in Lower Manhattan whose health and income were damaged by 9/11. And in Partnership with Bellevue Hospital, the coalition started a treatment and documentation program for respiratory problems and post-traumatic stress disorder symptoms experienced by victims who were largely ignored by other relief efforts.

More than 3,000 people attended two Lower Manhattan town hall meetings organized by Ms. Lum. Ultimately, her coalition assisted 10,000 poor families in accessing medical coverage and treatment or disaster relief. Ms. Lum's coalition continues to advodate for public and private support for programs that address the longterm health needs of the working poor in Lower Manhattan.

''JoAnn is gifted with the ability to create a movement where the people who must speak for themselves are the center of the work,'' said one of Lum's nominators.

The Robert Wood Johnson Community Health Leadership Program distributes $1.2 million each year to innovators who have creatively surmounted obstacles to meet the challenges of providing health care and social services to the underserved members of their communities. Ms. Lum and this year's other winners will be honored at a June event in Washington, D.C. She will receive $105,000 to apply to her program and a $15,000 personal award.

Ms. Lum was chosen from nearly 700 people nominated this year. Since 1992, the program has given 133 awards in 45 states, Puerto Rico and Washington, D.C. Award winners are nominated by civic leaders, health professionals, government representatives and others inspired by their efforts to provide essential health services to their communities.

Mr. Speaker, Ms. Lum is motivated by the disparity and inconsistencies that she observes in her community. She believes that a commitment to help those who are regarded as less fortunate is a small price to pay. Her commitment in turn inspires others to continue to strive for a better future. Ms. Lum is more than worthy of our recognition today.

HONORING THE 2005 GRADUATES FROM GLOUCESTER COUNTY COLLEGE AND GLOUCESTER COUNTY INSTITUTE OF TECHNOLOGY GED PROGRAMS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. ANDREWS. Mr. Speaker, I rise today to honor the recent graduates from the Gloucester County College and Gloucester County Institute of Technology GED programs. These students have now completed their high school education and earned their diplomas. I commend them for their dedication and hard work, and hope that their education will not end here. Education is a lifelong goal, one that serves to promote the betterment of the individual, and of society. I ask them to read the newspaper; read a novel; write poetry; study current events; talk to friends and family about the issues of the day. Their graduation today is a starting point from which they can grow and learn, and I wish these students all the best in their future endeavors.

The following are the 2005 graduates from the Gloucester County College and Gloucester County Institute of Technology GED Programs:

Anello, Sharon; Bacho, Maria; Booker, Tara Lynn; Boychuck, Laura; Byerly, Kimberly; Childers, Jayne; Conroy, Joseph; Conroy, Margaret; Cook, Christoffer; Cooper, Kimberly; Davis, Damien; D'Costa, Stuart; Devine, Debra; Dobleman, Erik; Doty, Jason; Dozier, Jarrid; Fink, Trisha; Flynn, Tenaya; Ganley, Heather; Goffney, Robert; Gonzalez, Kara and Hale, Michelle.

Hamill, Leah; Harper, Nicole; Harrison, Doreen; Herron, Kimesha; Hilliard, Shawahn; Houseberg, Joyce; James, Shadee; Johnson, Khanyeen; Justis, Helen E.; Karas, Anthony; Karnuk, Christopher J.; Kenyon, Ashley; Kevenaar, Krystle; Lane, Terri; Laramore, Anthony; Livingston, Jason; Long, Todd; Lowe, Bryan; Luongo, Christina; Luton, Karen; McCaughan, Michael; McCloskey, Jeannie and Merideth, Heather.

Moodhard, Shanna; Morrow, Heather; Nickel, James; Paris, David; Patel, Nick; Pettit, Christopher; Pogue, Jason; Quann, Tuana; Rivera, Marielisa; Roundtree, Ajirde; Scolpino, Rachel; Scott, Brittney; Scott, Dante; Seltzer, Christopher; Serock, Christie; Siewert, Jerry; Snyder, Eric; Stepp, Ashley; Uebele, Evan; Velazquez, Flor; Verdinelli, Robert; Williams, Renee and Wilson, Meya.

RECOGNIZING JESSE WEST FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jesse West of Weston, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 249, and in earning the most prestigious award of Eagle Scout. Jesse achieved the rank of Eagle Scout on August 4, 2004.

Jesse has been very active with his troop, participating in many scout activities. Over the many years that Jesse has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

For his Eagle Scout project, Jesse designed and landscaped a ''Welcome to Weston'' sign at the edge of the school property.

Mr. Speaker, I proudly ask you to join me in commending Jesse West for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING MR. AND MRS. JESSE R. BAXTER, JR.

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. ADERHOLT. Mr. Speaker, I would like to honor Mr. and Mrs. Jesse R. Baxter, Jr. J.R. Baxter, Jr., was born in Lebanon, Alabama on December 8, 1887. Clarice Howard was later born in Henagar, Alabama on October 1, 1897. The two married on June 23, 1918. They shared a commitment to faith and a love for music. Along with V.O. Stamps they founded Stamps-Baxter Music & Printing Company, in 1926. As devoted Christians, they committed their lives to furthering the gospel by setting it to music. Stamps-Baxter Music & Printing Company has played a crucial role in the promotion of gospel music worldwide. Mr. and Mrs. Baxter passed away in January 1959 and May 1972, respectively. However, their contributions to the composition, publishing, and distribution of gospel music are greatly appreciated and will benefit many generations to come. The Baxters were loved and respected by many and leave a legacy of service and humility. It is an honor to know that Mr. and Mrs. Baxter were both born and raised in DeKalb County, Alabama, which I have the privilege of representing as part of Alabama's Fourth Congressional District.

RECOGNIZING THE JAPANESE AMERICAN CULTURAL AND COMMUNITY CENTER

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to recognize the outstanding work of Little Tokyo's Japanese American Cultural and Community Center (JACCC) located in my congressional district. This year, the JACCC is celebrating its 25th anniversary of presenting, propagating, communicating and promoting Japanese American arts and culture.

The JACCC is the realization of a dream of visionary Issei and Nisei (first-generation and second-generation) Japanese American pioneers to create a permanent cultural center for all generations to enjoy. Its beginnings are rooted in the 1971 redevelopment of Little Tokyo, when a citizen's advisory committee made the cultural community center an essential component of a new Little Tokyo.

As one of the leading arts organization in Los Angeles and the nation, the JACCC has successfully introduced Japanese and Japanese American arts and culture to diverse audiences for 25 years.

The JACCC opened its doors in 1980 and was completed in 1983. The five-story Center building houses the George and Sakaye Aratani/Japan America Theatre; the JACCC plaza designed by Isamu Noguchi; the award-winning James Irvine Japanese Garden; the George J. Doizaki Gallery; meeting and conference rooms; and nonprofit community tenant offices.

One of the largest ethnic cultural centers of its kind in the United States, the JACCC has presented throughout the United States over 250 premiers of Japanese art, over 100 premiers of Asian American artists, and more exhibitions of Japanese performing arts than any facility outside Japan. It is the most active facility in the United States for the exhibition of Japanese contemporary design. It is also home to a variety of cultural, educational, and community organizations.

The JACCC also presents annual events celebrating the traditional holidays of New Year's and Children's Day. These celebrations preserve traditions inherited from Japan and define uniquely Japanese American traditions and values to younger generations. To ensure the continuation of the next generation of Japanese American artists and audiences, the JACCC has developed artist-in-residency and artist resource programs, which provide support services such as rehearsal and workshop space.

As part of the JACCC's 25th Anniversary celebration, the Shochiku Grand Kabuki Chikamatsuza troupe will provide four special performances of the Grand Kabuki of Japan. This troupe, based in Osaka, Japan, is led by Living National Treasure Nakamura Ganjiro III and features a cast of 45 actors and musicians. It will be the first full-scale company of the Grand Kabuki to tour the United States in nearly ten years.

I congratulate the JACCC on the occasion of its 25th anniversary, and I commend them for the outstanding work they do to ensure that Angelenos and all Americans benefit from the beautiful Japanese culture and Japanese American history.

RECOGNIZING JARED HILL FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jared Hill of Weston, Missouri, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 249, and in earning the most prestigious award of Eagle Scout. Jared achieved the rank of Eagle Scout on February 10, 2005.

Jared has been very active with his troop, participating in many scout activities. Over the many years that Jared has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

For his Eagle Scout project, Jared organized the placement of park benches, tables, parking, and landscaping at Weston Bend State Park.

Mr. Speaker, I proudly ask you to join me in commending Jared Hill for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO COLONEL ROBERT J. DEVLIN

HON. ROBERT E. (BUD) CRAMER, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. CRAMER. Mr. Speaker, I rise today to recognize Colonel Robert Devlin upon his retirement from the U.S. Army after more than 24 years of outstanding service to our country.

Colonel Devlin has been assigned to several key military positions throughout his career, which culminated as the Garrison Commander of the Redstone Arsenal located in Huntsville, Alabama. It is in this role that Colonel Devlin helped modernize and strengthen Redstone to better meet the demands and challenges of today's Army.

Colonel Devlin has distinguished himself throughout his military service in many challenging and diverse assignments. Throughout his remarkable career, he has received many medals and awards for his ability to lead by example, encourage excellence from his peers and subordinates, effectively manage the Army's resources, and consistently produce outstanding results. I commend Colonel Devlin for his ability to energize a diverse staff toward a common purpose, setting high goals and inspiring his staff to achieve them.

Mr. Speaker, during Colonel Devlin's tenure in North Alabama, he has been a true partner with our community. His openness, visibility, and willingness to help has done a great deal to bring Redstone and the larger community closer together.

Mr. Speaker, on behalf of the people of North Alabama, I congratulate Colonel Devlin for his 24 years of service to our country.

HONORING KATHY SPOOR, DIRECTOR OF PACIFIC COUNTY PUBLIC HEALTH AND HUMAN SERVICES DEPARTMENT

HON. BRIAN BAIRD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. BAIRD. Mr. Speaker, I rise today to honor Kathy Marie Spoor, Director of Pacific County Public Health and Human Services Department, for her service in promoting the health of her community. Ms. Spoor was recently recognized as a 2005 Robert Wood Johnson Community Health Leader. This prestigious award goes to only 10 recipients annually, and includes with if a grant of $105,000 to continue her work.

Seeing her grandmother struggle with the effects of childhood polio and losing her mother to a smoking-related illness inspired Ms. Spoor to dedicate her life to preventing and treating illness.

This dedication has led her to serve those who need help the most. Rural Pacific County is one of the poorest regions in the State of Washington. Of its 21,000 residents, close to 10,000 have incomes that are below 250 percent of the federal poverty level. More than 2,000 have no health insurance, and many more are underinsured and have no dental insurance or dental care.

The Health Department offers all of the traditional public health services, from disease surveillance to tracking pregnancy outcomes, but under Spoor's leadership it has extended its work to include HIV and STD testing, family planning, low-cost or free a pharmaceuticals, a host of youth development programs, and even dental care.

Ms. Spoor relies on her background as a registered nurse, a talent for raising funds when budgets are tight, and no small amount on ingenuity to serve the area's residents.

In one instance, Ms. Spoor called in the National Guard to increase access to dental services for local residents. She then convinced one of the National Guard dentists to relocate by finding low-rent space for his practice in a local hospital.

Mr. Speaker, it is for her dedication and indomitable spirit that Ms. Spoor is so deserving of this national award as a Robert Wood Johnson Community Health Leader. It is my honor to recognize her today.

RECOGNIZING ARTHUR H. SCHNUCK

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Arthur H. Schnuck of Cooper County, Missouri. Mr. Schnuck will soon celebrate his 97th birthday.

Arthur H. Schnuck was born on June 22, 1908 on the Schnuck Century Farm known as the "Walnut Range Stock Farm" to Henry E. Schnuck and Ida Vieth Schnuck. The Walnut Range Stock Farm is located in Cooper County, just east of Boonville in Saline Township.

Mr. Schnuck's early schooling took place at a one room school house at Highland. He attended Boonville High School, and after graduating in 1928, he went on to the University of Missouri. While at Mizzou, Mr. Schnuck competed on several judging teams. His main interests were grain farming and cattle. In 1952, Mr. Schnuck won a corn growing contest sponsored by a radio station in Kansas City; he won with 152 bushels of corn on a single acre in the senior division.

Mr. Speaker, I proudly ask you to join me in recognizing Arthur H. Schnuck of Cooper County, Missouri. Mr. Schnuck's livelong dedication to agriculture and his community is remarkable, and his accomplishments are commendable. It is an honor to represent him in the United States Congress. I offer him my warmest regards on this important milestone, and my best wishes for many more birthdays in the future.

CONGRATULATING THE UNIVERSITY OF WISCONSIN-WHITEWATER MEN'S BASEBALL TEAM

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Ms. BALDWIN. Mr. Speaker, I rise today in recognition of the University of Wisconsin-Whitewater men's baseball team who in a stunning display of athleticism, captured the NCAA Division III national championship. Led by head coach John Vodenlich, the Warhawks capped an extraordinary season by winning their first national championship in school history. UW-Whitewater compiled a 45–7 overall record, the best in school history, and became the first team since 1999 to not lose a single game in the double elimination championship tournament.

UW-Whitewater demonstrated impeccable skill both in the field and at the plate. The pitching duo of Senior Kevin Tomasiewicz and Junior Greg Reinhard led the charge for the Warhawks. Tomasiewicz, who was recently selected by the New York Mets in the 2005 Major League Baseball Draft, garnered MVP honors for the championship series after earning two wins and a save during the Warhawks' four game run. Reinhard, who was also selected in the Draft by the Tampa Bay Devil Rays, earned first-term All-American Honors and was named the Wisconsin Intercollegiate Athletic Conference and ABCA Division III Pitcher of the Year. At the plate, junior designated hitter Eddie Adamson batted a Ted Williams like .417 and set the single season school records for hits, RBIs, runs scored and doubles. The Warhawks also demonstrated their toughness and determination off the field. Outfielder Eric Baldwin earned the WIAC Max Sparger Scholar Athlete of the Year award in honor of his academic excellence.

Winning the title in Grand Chute, just outside of Appleton, Wisconsin, the Warhawks brought tremendous pride for people from all over the great state of Wisconsin. I would like to sincerely congratulate the University of Wisconsin-Whitewater men's baseball team for their remarkable achievements and wish them the best of luck in their quest to repeat as National Champions.

TRIBUTE TO RETIRING DR. BOBBY PATTON

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. SKELTON. Mr. Speaker, it has come to my attention that a long and exceptionally distinguished career in the field of education will soon come to an end. Dr. Bobby Patton will be retiring from his position as President of Central Missouri State University on June 30 after six years of service to the University.

Dr. Patton received a BA in Speech, Theatre, and English at Texas Christian University, a Masters in Speech and Drama at the University of Kansas, and a Doctorate in Speech Communication at the University of Kansas.

Dr. Patton has had an exceptional career in education for many years. In 1967, Dr. Patton began his educational career at the University of Kansas as the Associate Chair and Acting Chair of the Department of Speech and Drama. In 1972, Dr. Patton continued his career at the University of Kansas as the Chair of the Department of Speech and Drama. In 1980, Dr. Patton was Chair of the Division of Communication and Theatre at the University of Kansas. After his twenty year career with the University of Kansas, Dr. Patton continued his educational career with California State University as the Dean of the School of Arts and Letters. Following his career at California State University, Dr. Patton served as the Vice President for Academic Affairs and Professor of Communication Studies at Wichita State University. In 1999, Dr. Patton continued his educational career as the 13th president of Central Missouri State University.

Mr. Speaker, Dr. Patton has served the field of education for over thirty-eight years. As he prepares for the next stage in his life, I am certain that my colleagues will join me in wishing him all the best.

RECOGNIZING COMMERCE BANK

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Commerce Bank. In a few days, Commerce Bank will receive the Saint Joseph YWCA Women of Excellence Award for Employer of Excellence.

Commerce Bank has worked to make banking an outstanding career choice for women. Since 1986, the business has continually provided opportunities for Saint Joseph women. High achievement is encouraged by Commerce through educational assistance, career training opportunities, and scheduling flexibility. While maintaining their regular work schedules, several female officers and employees have obtained or are currently working toward college degrees. Currently 61 percent of Commerce Bank's employees are women. From Secretary to Senior Vice President, women are entrusted to fill critical positions.

Commerce has also been widely recognized for its commitment to community volunteerism. In the 10-year history of the Commerce Commendation Award, Commerce Bank of Saint Joseph has won the award nine times; five of those awards have gone to female employees. Commerce's female employees are engaged in a wide range of community activities including the Partners in Education program, tutoring school children, and even taking part in the Red Cross Hurricane Relief effort.

Mr. Speaker, I proudly ask you to join me in recognizing Commerce Bank, an exceptional employer in Missouri's Sixth Congressional District that has made banking an outstanding career choice for women. Commerce Bank's commitment to excellence is inspiring, and I am honored to represent so many of its fine employees and officers in the United States Congress.

INTRODUCING THE GAS PRICE SPIKE RELIEF ACT OF 2005

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce legislation that will help ease the effect on consumers and airline passengers if the price of gas spikes dramatically. This bill reduces or refunds federal tax on gasoline and motor fuel when the price of gas spikes dramatically.

My legislation, the Gas Price Spike Relief Act of 2005, temporarily cuts the federal gas tax for consumers by providing a tax refund to retailers if the price of motor or aviation fuel rises 10 percent during the course of a month. When the price of fuel jumps this drastically, the Gas Price Spike Relief Act will reduce the tax on motor and aviation fuel by 4.3 cents/gallon and allow retailers to apply for a refund of this tax, ensuring that this tax relief will not affect any money designated for the repair of highways and roads through the Highway Trust Fund. Providing this relief will spur the reduction of gasoline prices at the pump as well as the price of airline tickets.

This legislation address a growing need to provide relief to average Americans from wildly fluctuating gas prices. For example, from March to April of 2005, the cost to fill up a tank of gas rose by more than 10 percent. That's more than twice the increase for the same period last year! We need to be helping working families out—not abandoning them like Republicans have—when no logical explanation exists for ridiculous gas price spikes.

Mr. Speaker, I urge my colleagues to support this legislation. Gas prices have gotten out of control. This legislation will provide some needed relief while maintaining the gas price stability our Nation needs. I look forward to working with my colleagues and moving this legislation forward.

HONORING OSCAR BROWN, JR.

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Ms. LEE. Mr. Speaker, I rise today to honor one of the artistic and political icons of our

time and a longtime personal friend, Oscar Brown, Jr. Throughout his life, Oscar defied convention not only by blurring the lines between art and activism, but by consistently and passionately articulating a message of hope, freedom and equality for all people. Oscar passed away on May 29, 2005, in his hometown of Chicago, Illinois.

A performer from an early age, Oscar was known for acting his songs as much as for singing them. Through the popularity of songs like ''Brown Baby'' and ''Signifyin' Monkey,'' he became known for his use of art as a way to celebrate African-American culture and to denounce racism.

I met Oscar during the early 1970s in Oakland, California. I was amazed at his profound sense of history, his insight and clarity on the root causes of racism and economic exploitation, and his ''bold defiance'' of all that was corrupt. He often spoke of his deep love for and dedication to his family. A man of tremendous strength, dignity and sensitivity, Oscar Brown, Jr. was a man for all seasons.

Oscar wrote a number of plays that addressed the issues of cultural politics and social division, and made those expressions even more powerful through his regular inclusion of Chicago youth in their casts. One of his best known plays was ''The Great Nitty Gritty,'' which focused on gang problems in Chicago and featured a number of local teenagers onstage and in the production process.

Oscar remained a cultural force in Chicago throughout his life, and is credited with inspiring or influencing countless artistic careers. His bright spirit touched and improved the lives not only of those he knew and mentored, but of the countless others who found hope, purpose and pride through his work.

I was in Los Angeles on December 4, 2004, and learned that Oscar was performing locally. My spirit led me to go see him perform, not knowing that this would be the last time I would see and hear this great genius. After a magnificent performance, I went backstage and we talked and reminisced, and in his unique way, he gave me his candid critique of the United States government and the critical issues facing us. He was excited when I invited him to be my guest at the upcoming Congressional Black Caucus dinner in September, and again talked about his love for his family.

On June 24, 2005, Oscar's family and friends will gather to celebrate his extraordinary life. Oscar was a visionary thinker, a cultural legend, and political guru. My life, like the lives of many, has been enriched by my friend: the great, the magnificent, Oscar Brown, Jr. He will be deeply missed.

HONORING THE SERVICE OF KAREN C. BROOKE

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Ms. HARMAN. Mr. Speaker, perhaps the only good thing to come out of Congressman Max Sandlin's defeat in the November election was that it brought his long-time staffer Karen Brooke to the Intelligence Committee as Minority Executive Assistant—where her good humor, good will and remarkable institutional knowledge were instant assets.

Much to our dismay, Karen has decided to retire after 30 years of loyal and dedicated service to the U.S. government, the House, and most recently, to the Committee.

Except for a year at the State Department, Karen's entire career has been spent in the Legislative Branch working for four different Members from four different parts of the country until joining the Committee staff. She is a pleasure to be around, and everyone has benefitted from her professionalism, efficiency, her meticulous approach to every task, and her ability to make it all look so easy.

Through it all, Karen Brooke has somehow found the time to dote on her wonderful husband John, and together they have raised two great children—daughter Adrienne and son Anthony. On behalf of the Members and staff of the House Permanent Select Committee on Intelligence, I extend our congratulations and wish her and her family the very best as they begin this new, exciting chapter of life.

RECOGNIZING JEANNE DAFFRON, PH.D.

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jeanne Daffron Ph.D. Dr. Daffron is Assistant Vice President for Academic and Student Affairs at Missouri Western State College in Saint Joseph, Missouri and in a few days will receive the Saint Joseph YWCA Women of Excellence Award for Women in the Workplace.

Dr. Daffron received her undergraduate degree and doctorate in nursing from Texas Woman's University. For nineteen years she served as a faculty member in the nursing department at Missouri Western, and later served as chair of the department and Dean of Professional Studies for seven years. Recently, Dr. Daffron was appointed Assistant Vice President of Academic and Student Affairs. She is a member of the International Honor Society of Nursing, as well as the Missouri Nurse Association. In 1999, she was recognized by her alma mater as one of its ''Distinguished Alumna.'' In 2004, Dr. Daffron was selected by students as the ''Outstanding Honors Program Faculty Member.''

In addition to her career at Missouri Western, Dr. Daffron has served in a number of leadership positions throughout the greater Saint Joseph community. She currently serves on the Board of Directors for Heartland Regional Medical Center Foundation, Leadership Northwest Missouri, and Junior Achievement, and served as only the second female chair of the Saint Joseph Area Chamber of Commerce. Dr. Daffron is also Co-Chair of the Higher Education Division for the United Way, and is a member of the Saint Joseph Community Plan Board. She was appointed by Governor Blunt to a three-year term on the State of Missouri Life Science Research Board as well.

Mr. Speaker, I proudly ask you to join me in recognizing Jeanne Daffron, Ph.D. Her commitment to Saint Joseph exemplifies the qualities of service and dedication. I am honored to represent her in the United States Congress.

HONORING THE EFFORTS OF FLICK SEED COMPANY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. SKELTON. Mr. Speaker, it has come to my attention that the Flick Seed Company, Kingsville, MO, has received an Honorable Mention award from Region Seven of the Environmental Protection Agency. This is the second time in as many years that Flick Seed has been recognized for its environmental awareness.

Since Steve Flick founded Flick Seed more than twenty years ago, he and his company have worked with state, municipal, and federal agencies, as well as private businesses to restore the original ecosystems that once covered Missouri and the rest of the Midwest. Steve is a graduate of the University of Missouri at Columbia and has put his agriculture degree to good use with the founding of Flick Seed Incorporated.

Flick Seed has worked tirelessly to keep seed waste out of the landfills. They have done this by combining seed waste with office paper waste and creating pellets that are used in pellet burning stoves. This work has not only kept our landfills from becoming full of seed waste, but it has provided a unique and innovative form of renewable energy.

I know that my fellow House members will join me in congratulating Flick Seed Company for its recognition by the Environmental Protection Agency.

TRIBUTE TO JUDY SCHNEIDER

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. VAN HOLLEN. Mr. Speaker, it is with great pleasure that I rise to commend one of my constituents, Judy Schneider, on receiving the Women in Government Relations 2004 Distinguished Member Award.

Ms. Schneider is a specialist on Congress at the Congressional Research Service (CRS), a department of the Library of Congress, and an adjunct scholar at The Brookings Institution. She worked previously for Senate and House committees, including the Senate Select Committee to Study the Senate Committee System. Ms. Schneider is a frequent speaker and lecturer on Congress and legislative procedures. She holds a bachelor's and master's degree from The American University. Ms. Schneider is also co-author of the Congressional Deskbook, a comprehensive resource tool frequently used by Congress and Lobbyists.

Ms. Schneider is well known on Capitol Hill by Members of Congress, staff, lobbyists and others as ''The person'' for information on numerous topics including House, Senate and Committee Procedure.

Ms. Schneider has been a long time friend of WGR. Valuing Ms. Schneider's dedication and support for the organization, she was granted Emeritus Member status in 2004. Emeritus Membership status is reserved for

women who have displayed an exceptional commitment to helping other women succeed in the field of government relations, and who have also achieved notable personal success in that endeavor. Previously, only Members of Congress have been awarded this honor.

Judy is a dedicated public servant who is committed to making a difference in the lives of others. I am proud to represent her in the U.S. Congress and to have the benefit of her wisdom, insights and experience.

I commend Judy Schneider on her accomplishments and wish her continued success in the years ahead.

RECOGNIZING BAR MITZVAH OF CHARLIE DANN

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. RYAN of Ohio. Mr. Speaker, I rise today in recognition of the Bar Mitzvah of Charlie Dann, on June 4, 2005. Here is Charlie's speech entitled "Memory is Powerful."

There were many, especially some of my former Hebrew teachers, who would have doubted my commitment to Judaic and Hebrew studies.

At times, to be honest, I've doubted myself.

But I stand here today honored to join in a tradition that has meant something to so many in our world, our community and our family. And means so much to me. I am still not sure of exactly who I am in a large context, but I continue working on that with the help of so many.

Thank you Rabbi Schonberger. And thank you Mrs. Kessler. And thank you Mr. Zevor and thank you Mr. Zaltsman and yes, thank you Mr. Grabiner and thank you Mrs. Schonberger. More thank you's later.

Now I want to talk about why I decided to go ahead with a Bar Mitzvah.

For those of you who know my parents, you probably realize that they did not force me to go through with this Bar Mitzvah. It was my choice.

I chose to do this for many reasons. But many of them center around five men and five women. Four of the men aren't here in a physical sense. And two of the women aren't here either. So, now before I explain more, I'd like to ask my grandfather Bentley Lenhoff to stand. Next, I'd like my great-grandmother, Eva Dann to stand. Now my grandmothers, Hope Ellis, Michelle Dann, and Nancy Lenhoff and even though she denies it, I'd also like Barbie Hodros to stand as she too has been a grandmother to me. Thank you for everything that you've taught me and thank you for loving me and believing in me.

Now I will explain more.

The men that can't be here today—those that I knew and one that I never met—have given me an incredible legacy. Phil Arian, Stuart Dann, Julie Dann, Dean Cribbs and the men after whom I'm named, Charlie Lenhoff and Phil Oxman, valued tradition and doing the right things in life. None of them led a conventional life. But their lives have taught me the importance of being connected to a larger community and of making contributions to the family.

And my great-grandmothers—Jessie Gorsline and Bess Lawrence Oxman—you were real pioneers in life. From you, I have been given drive and determination. I sometimes wish I had more of your scholarly dedication. But perhaps that will come in time. Like my grandfathers and great-grandfathers, you also valued community and being connected to larger goals that extended beyond your own universes.

I stand up here today to pay tribute to my family, of course. And to Rabbi Schonberger who suffered through my occasional—OK frequent—obstinence and poor study habits. And I would be remiss not to thank my mom and dad, Alyssa Lenhoff and Marc Dann. And my aunts and uncles, Frank and Maddy Joseph, Ken and Marilyn Steinback, Kathy and Robert Leb, Scott and Priscilla Dann, Dan and Nan Arian, Mark and Ellen Arian and Lyndean and Myron Brick and my wonderful cousins—all of you—the little ones and the big ones—Big Emily, Meg, Robin, Amanda, Sylvie, Benji, Molly, Harte, little Emily, Mickey, Jillian, Jordan, and Jackson.

And there are two others who I must mention—my sisters. Mavilya, Mia—who is studying somewhere in Italy or at least that's what she told her mom. Dr. Gulnara Tarpe who is a lot like a second mom to me as well. And of course my younger sister, Jessie—Pishur to me. I love you.

But I also stand up her to talk about my thoughts about our community—the Mahoning Valley.

I'm a politician's son. You didn't expect me to be brief, did you?

I believe our community is at a crossroads and I further believe that we—as individuals—have the power to determine its future.

As a graduate of Akiva Academy, it is painful for me to see the school suffer enrollment declines year after year after year. It is even more painful to drive to downtown Youngstown or over to Girard and see the remnants of what once was. It makes me sad to think of how we—as a community—have allowed our economy and our population to decline.

Of course I realize that the steel mills can't come back. And I realize that there is no magic bullet for the economic development problems that plague our community.

But I truly believe that some of our problems could be cured with a little bit of the ideas that are presented in today's Torah portion.

Today's Torah portion talks about a census—counting people.

Counting people involves more than just lining them up and ticking off numbers.

Surveying the population of a town, a community, a state or a nation is something that is critically important as the Torah portion explains. But when you count them, it is important to realize the value inherent in every human being. We are more than numbers. I think this message is extremely important to us as a community and can help us better address the problems that we face.

For too long, we have been intimidated by the declining census. We have allowed ourselves to believe that we are on a slippery slope down because our population has fallen.

If we do what the Torah portion seems to advise and count people as more than just numbers, our census will swell to incredible proportions. We will see that among us are people of immense talent and incredible energy and great values. We will see that our census is among the best in the Nation.

I am ready to join the community and to help so many of you who have been working so diligently to preserve what's left and to try to recapture what once was. I will join as a person of a lot of energy, a lot of creativity and a great deal of dedication to the values and morals that we as Jews have inherited from the prophets. I believe in honesty. I believe in hard work. I believe in compassion. I believe in solving and not creating problems. I am sure of all of this. But other questions still linger for me. What will I be? A politician? Perhaps. A football player? Doubtful. A journalist? Maybe. What I do know for certain is that—guided by my faith as a Jew—I will be a good person. I will be a person who knows right from wrong and who practices it. And, I will be a person who thinks and who cares and who draws on faith, memory and tradition in daily life.

We can't forget who we are. We can't forget what we were. We can't lose sight of what we could be.

Memory is powerful.

And they say, past can be prologue. It is up to us to decide which past we choose.

A TRIBUTE TO YOLANDE I. NICHOLSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. TOWNS. Mr. Speaker, I rise today in recognition of the accomplishments of Yolande I. Nicholson.

Ms. Nicholson obtained a Bachelor of Arts in Political Science and Bachelor of Fine Arts in Journalism at Southern Methodist University in Dallas, Texas. Then she earned a Juris Doctor from Columbia University School of Law, where she was actively involved in the Columbia Journal of Transnational Law. As a student, she received the Harry S. Truman Congressional scholarship, George B. Dealy Journalism Award, and a Distinction in Political Theory for academic excellence. In 1994, she received the Mayoral Special Achievement Award for commitment to economic development projects involving small businesses and entrepreneurial activities in New York City.

Ms. Nicholson began her admirable career as a legal assistant at Bozeman & Trott, P.C. in Mount Vernon, New York, and subsequently held executive roles in several prominent financial institutions, including Vice President and Transaction Execution Manager at J.P. Morgan Securities Inc. and Vice President and Assistant General Counsel at Chase Manhattan Bank. She now holds the position of Executive Vice President and General Counsel at the Bedford-Stuyvesant Restoration Corporation in Brooklyn, where she has served since June 2004.

Ms. Nicholson has continually shared her talents and experience to help others. Therefore, Mr. Speaker, I proudly recognize Ms. Yolande I. Nicholson, an asset to the community.

IN SUPPORT OF MAIN STREET AMERICAN SMALL BUSINESSES

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. FARR. Mr. Speaker, I rise in strong support of robust funding for two important Small Business Administration programs: the 7(a) Lending Program and the Microloan program.

Small business owners take huge risks to try to realize their dreams of owning their own business which fuel U.S. economic growth. If

we want a strong economy and a business environment that encourages this entrepreneurial spirit, the federal government needs to give small business the economic tools to be successful. That tool is the 7(a) program that was created to provide capital to small business owners unable to access traditional financing. Through this program, more capital has been made available for small business investment that has helped grow the economy. Companies who participate in the 7(a) program account for approximately 75 percent of the net new jobs added to the economy! Funding the 7(a) program at $79 million is an investment in Main Street, USA.

The Microloan Program is another excellent SBA program that creates jobs on Main Street. This program provides loans to low- and moderate-income entrepreneurs that are not served by private sector banks or the 7(a) loan program. One example of the benefits of the SBA Microloan program is the California Coastal Rural Development Corporation (Cal Coastal) in my district, which has made microloans totaling $2,775,000 since 1998. With the loan and technical assistance financing provided by the SBA Microloan Program, Cal Coastal has financed more than 153 businesses with an average loan of $18,000. Cal Coastal is just one example of the excellent work being done by non-profit intermediaries throughout our state and across the country. Fully funding the SBA Microloan program is a smart business investment for Main Street.

DR–CAFTA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. KUCINICH. Mr. Speaker, on Wednesdy, June 15, 2005, I issued the following statement during a press conference on how the Dominican Republic-Central American Free Trade Agreement (DR–CAFTA) will be harmful to minorities and would like to submit it for the CONGRESSIONAL RECORD.

Today I am here to join my colleagues to reject the current text of DR–CAFTA and insist on the renegotiation of DR–CAFTA. Many sectors of society in some form or another will be negatively impacted by DR–CAFTA, but today I'd like to highlight how DR–CAFTA will be harmful to unions, and especially minority unionists. We have seen the detrimental effects of the NAFTA-model on unions. After NAFTA's signing, the rate of union-busting factory owners following through on threats to close plants tripled. Union busting will only increase with DR–CAFTA, which will affect all unionists, but particularly minorities, who are more likely to be in unions than the population at large. Minority communities have lower median wages and higher unemployment rates, and the benefits of union membership are greater than for non-minority workers. Unionized African-American, Asian-American and Latino workers all make substantially higher wages than their non-union counterparts. Furthermore, the difference in wages between union and non-union workers is much greater for minorities than for average union workers. For example, while average union workers make 28 percent more than their non-union counterparts, unionized Latino workers, for example, make 59 percent more than their nonunion counterparts.

Unions have played a significant role in making America a more just and equitable place for all. They helped to establish the middle class, making the ''American dream'' a reality for many workers and their families. Before the successes of the civil rights movement were marked by law, unions helped to provide freedom from discrimination in the workplace for minority workers and to integrate minority populations into the greater population. Sadly, trade agreements following the NAFTA model will weaken unions, and the benefits of unions guaranteed to minority workers.

When DR–CAFTA comes before Congress for a vote, I will urge my colleagues to oppose this unfair agreement, and send it back for renegotiation. Trade between nations does not and should not have to lead to such negative consequences.

SALUTING SERVICE ACADEMY STUDENTS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is a tremendous honor to salute our soldiers of tomorrow—the service academy bound students of the Third District of the Texas. This district of Texas is home to some of the best and the brightest young people.

I'm truly confident that they are ready to join the premier military force of the world. It is a privilege to send such fine young people on to our Nation's prestigious service academies.

We lift them and their families up in prayer for their future service and sacrifices. I am so very proud of them.

God bless them and God bless America. I salute them.

The appointees and their hometowns follow.

THIRD CONGRESSIONAL DISTRICT SERVICE ACADEMY APPOINTMENTS

United States Military Academy—Morgan Peterson—Plano, Texas—Plano Senior High School; Jessica Shurtz—Parker, Texas—Plano East Senior High School; Chris Villarreal—Allen, Texas—Allen High School.

United States Naval Academy—Douglas McDonald—Plano, Texas—Plano East Senior High School; Andrew Treat—Dallas, Texas—Trinity Christian Academy.

United States Air Force Academy—Mitchell Himes—Lucas, Texas—Allen High School; Benaiah Lozano—Garland, Texas—Garland High School; John Schrader—Murphy, Texas—Plano East Senior High School; Mitchell Woods—Lucas, Texas—Allen High School.

United States Merchant Marine Academy—Donald Finnie—Wylie, Texas—Wylie High School.

A TRIBUTE TO JAMES T. CONOLLY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. TOWNS. Mr. Speaker, I rise today in recognition of a Brooklynite and distinguished public servant, James T. Conolly. It is an honor to represent Mr. Conolly in the House of Representatives and it behooves us to pay tribute to such an outstanding leader.

Mr. Speaker, Mr. Conolly obtained his bachelor's degree at the City University of New York. He subsequently pursued a career in public service, where he dedicated several years to assisting and leading others.

Mr. Conolly has demonstrated exemplary leadership and devotion to the community as the Executive Director of Alternative Sentencing in the Office of the Brooklyn District Attorney and Director of the Work Experience Program for the New York City Human Resources Administration under Mayor Giuliani. In conjunction with the late honorable Shirley Chisholm, he co-founded the Mid-Brooklyn Civic Association. In addition, Mr. Conolly was the first black man to be elected as District leader in the 42nd Assembly District, which included the Flatbush area of Brooklyn. He is continuing his ongoing commitment to the Brooklyn community through his activity as Deputy Commissioner for the New York City Human Resources Administration.

Mr. Speaker, I believe that it is incumbent upon this body to recognize the achievements and selfless service of Mr. Conolly as he continues to offer his talents and philanthropic services for the betterment of the community.

Mr. Speaker, Mr. James T. Conolly has continuously demonstrated his altruistic dedication to the community that makes him more than worthy of our recognition today.

IN HONOR OF MR. VICTOR GHIO

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. FARR. I rise today to honor the life of Victor Ghio, an influential member of the Santa Cruz community. He passed away on March 31, 2005 at age 88 and is survived by his brother, Johnnie M. Ghio; his sisters, Victoria Gemignani, Mary Marsalisi, and Gloria Della Mora; and numerous nieces, nephews, grandnieces, and grandnephews. Mr. Ghio is most notable as a local legend and a vital link to the city's storied Italian fishing colony.

Mr. Ghio was born on August 20, 1916 in Santa Cruz, California. Following the footsteps of his grandfather and father, Mr. Ohio learned to fish around the age of 8. Shortly after graduating from high school, he went into the family business. However, when World War II broke out, he enlisted, and spent a decade in the service. Mr. Ghio earned the prestigious award of a Purple Heart for his assistance in the war effort.

Mr. Ghio spent more than 60 seasons fishing the Monterey Bay area on his 30–foot boat, Catherina G., named after his beloved mother. Just shortly before his death, Mr. Ghio was still buying fishing equipment to get ready for the season's commercial salmon season. The ocean was evidently his world in which he could live as a free spirit, away from the bustle of the city.

Mr. Speaker, I am joined by Mr. Ghio's family and friends in honoring his life and contributions to the community. He will be remembered by his positive spirit and a wonderful outlook on life. Mr. Ghio's service will be truly missed.

VENEZUEN RESULUTION REGARDING TERRORIST LUIS POSADA CARRILES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. KUCINICH. Mr. Speaker, I would like to submit the following for the CONGRESSIONAL RECORD. On Wednesday, June 15, 2005, Representative DENNIS KUCINICH met with legislators from Venezuela who presented him with a resolution that passed in the Venezuelan legislative assembly regarding the terrorist Luis Posada Carriles.

The following is a translation of that resolution.

Non Official Translation

THE NATIONAL ASSEMBLY OF THE BOLIVARIAN REPUBLIC OF VENEZUELA—RESOLUTION EXPRESSING SUPPORT FOR THE DECISION OF THE SUPREME TRIBUNAL OF JUSTICE REQUESTING THE EXTRADITION OF LUIS POSADA CARRILES

CONSIDERING

That on October 6, 1976, a Cubana de Aviacion airplane was victim of an abominable terrorist act over the island of Barbados, exploding in mid-air and resulting in the death of its passengers and crew;

CONSIDERING

That among the victims were 57 Cuban nationals, 24 of which were members of the Cuban National Fencing Team who had recently emerged victorious in the Fencing Championships of Central America and the Caribbean, held in Caracas, Venezuela; alongside 11 Guyanese students and 5 Korean students;

CONSIDERING

That material responsibility for the condemnable terrorist act was linked to Venezuelan nationals Heman Ricardo and Freddy Lugo, and that a consequent investigation determined that the sinister plan was hatched in Caracas, under the direction of Orlando Bosch and Luis Posada Carriles, a Cuban-Venezuelan, who from 1967 served in an official capacity in various police forces, including as the Chief of the Explosives Brigade of the Division of Intelligence and Prevention Services (DISIP), known by the alias ''Commissar Basilio;''

CONSIDERING

That the commission of this crime affected traditional relations between the countries linked to the events, and could have resulted in international political conflicts;

CONSIDERING

That joint actions by state authorities in Cuba and Venezuela allowed judicial officials to prosecute and sanction those responsible for such actions;

CONSIDERING

That the terrorist Luis Posada Carriles avoided being brought to justice on numerous occasions and often with the use of violence, escaping from various Venezuelan prisons, most notably his escape from the San Juan de los Morros Prison on August 18, 1985;

CONSIDERING

That having detected that the terrorist fugitive Luis Posada Carriles had been detained in the Republic of Panama, accused and convicted of planning a new terrorist attack against the President of the Republic of Cuba, Fidel Castro, the Government of the Bolivarian Republic of Venezuela requested his extradition pursuant to a decision of the Chamber of Penal Cassation of the Supreme Tribunal of Justice;

CONSIDERING

That said request was denied by the Government of Panama under the presidency of Mireya Moscoso, who reprieved Luis Posada Carriles, effectively ignoring the Extradition Treaty between the two countries and provoking international condemnation;

CONSIDERING

That terrorist attacks constitute crimes against humanity that can cause social commotion and must be punished by the competent authorities in any country in the world;

CONSIDERING

That the families of the victims and their respective countrymen await that justice be done for these abhorrent terrorist acts.

AGREES

First: To express support for the decision of the Supreme Tribunal of Justice which, in a sovereign, autonomous, and independent decision, dictated the issuance of an extradition request for the terrorist Luis Posada Carriles to the Government of the United States of America.

Second: To ratify the National Assembly's repudiation and condemnation of this abominable terrorist act, just as the repudiation and condemnation of similar acts that occur anywhere else in the world.

Third: To ratify the National Assembly's repudiation of the conduct of the Republic of Panama's former president, Mireya Moscoso, who in reprieving the terrorist Luis Posada Carriles violated the terms of the Extradition Treaty in force between Panama and Venezuela.

Fourth: To request that the Government of the United States of America provide information as to whether Luis Posada Carriles is within its territory, and if so, to provide for his immediate extradition.

Fifth: To encourage the Organization of American States, the United Nations, and the international community coordinate efforts to capture and extradite one of the most dangerous terrorists in the history of Latin America and the Caribbean.

Sixth: To request that the Congress of the United States of America ratify their absolute rejection of terrorism and their conviction to fight it.

Seventh: To deliver copies of this legislation to the diplomatic representatives in Venezuela of Cuba, Guyana, Barbados, South Korea, Panama, and the United States of America.

Eighth: To publicize said legislation.

Ratified and signed in the Federal Legislative Palace, headquarters of the National Assembly, in Caracas, Venezuela, on the fifth day of May of the year 2005, year 195 of Venezuelan independence and year 146 of the federation.

NICOLÁS MADURO MOROS,
President.
RICARDO GUTIÉRREZ,
First Vice-President.
PEDRO CARREÑO,
Second Vice-President.
IVÁN ZERPA GUERRERO,
Secretary.
JOSÉ GREGORIO VIANA,
Assistant Secretary

CONGRATULATING THE AMERICAN TRACT SOCIETY ON ITS 180TH ANNIVERSARY

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. SAM JOHNSON of Texas. Mr. Speaker, this year the American Tract Society is celebrating the 180th Anniversary of its founding in 1825. There is no doubt that the American Tract Society has played a pivotal role in advancing Christian family values in this country. Not only does American Tract Society have a widespread and profound impact on the current moral climate of the United States, but its tracts deliver a message of hope worldwide.

The American Tract Society was founded to address the need for solid Biblical teaching and evangelism in the wide-open, ever-expanding Western frontier of our country. Too often, frontier families found themselves without any access to a church and without vital Christian fellowship. The Society was born out of this profound need and quickly became the largest publishing house in the United States, publishing around 8 million pieces in 1860.

The American Tract Society has continued to grow and evolve based on the changing world around it. While the society holds steadfastly to the timeless and unchanging quality of Christ's Gospel message, they recognize the need to remain relevant in their medium to maximize the impact.

And so in this Anniversary year, I congratulate the American Tract Society and challenge them to continue spreading God's message of salvation to a world that desperately needs it.

TRIBUTE TO CHARLES E. SIMPSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. TOWNS. Mr. Speaker, I rise today in recognition of a Brooklynite and distinguished lawyer, Charles E. Simpson. It is an honor to represent Mr. Simpson in the House of Representatives and it behooves us to pay tribute to such an outstanding leader.

Mr. Speaker, Mr. Simpson received his Bachelor of Arts degree in 1974, graduating magna cum laude from Pepperdine University and named a Martin Luther King, Jr. Fellow. He subsequently obtained his Juris Doctor from Harvard University in 1978. Before completing his undergraduate studies, Mr. Simpson dedicated three years of service to the United States Air Force. As a lawyer, Mr. Simpson often represents debtors and creditors in Chapter 11 Reorganization cases. He is currently a partner of Windels Marx Lane & Mittendorf, LLP, and chairs the firm's Bankruptcy, Creditors' Rights and Workouts Practice Group, and is a member of the Corporate and Securities, Litigation and Alternative Dispute Resolution, and Real Estate Practice Groups.

Mr. Simpson has served as counsel to me since 1981. He also acted as outside counsel to the Brooklyn Navy Yard Development Corporation from 1983 through 1996. Mr. Simpson engaged in several philanthropic activities

and demonstrated true dedication by serving on the Board of Directors of the Brooklyn Children's Museum, the Brooklyn Red Cross, and the Queens Society for the Prevention of Cruelty to Children, as well as acting as Brooklyn's representative on the Board of Directors of the New York City Public Development Corporation. He was also active as a member of the Brooklyn Area Council of Boy Scouts of America and the New York State Bar Association's Committee on Minorities in the Profession.

Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments and selfless service of Mr. Simpson as he continues to offer his talents and philanthropic services for the betterment of the community.

Mr. Speaker, Mr. Charles E. Simpson has continuously demonstrated his altruistic dedication to the community that makes him more than worthy of our recognition today.

IN MEMORY OF MR. FRANK LICHTANSKI

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. FARR. Mr. Speaker, I rise today to honor the life of a great public servant for Monterey County, California. Frank J. Lichtanski passed away on June 9, 2005 in his home in Del Rey Oaks, California after a battle with cancer.

Frank was passionate about all modes of transportation, and particularly buses, for more than 31 years. At age 23, he worked as a bus driver for Monterey-Salinas Transit, beginning what would become an illustrious career. After six years, Frank became general manager, and in 1982 he became Monterey-Salinas Transit's Chief Executive Officer. In his 31 years of service with MST, Frank turned a fledgling bus service with only nine buses and twenty employees into a thriving public transit system. Today, Monterey-Salinas Transit provides public transit service in Monterey, Santa Clara and Santa Cruz counties and carries 4.8 million passengers each year. Each time Frank came to Washington, D.C., he marveled at the Metro system and how Union Station had developed as a commercial center with transportation as the anchor for restaurants and entertainment. He took that inspiration and figured out how a public transit station could benefit Monterey County. The City of Marina is the northern gateway to the Monterey Peninsula. Frank's vision grew to become the Marina Transit Station, situated at the west end of a major corridor between the coastal communities and the inland communities of Monterey County. The Marina Transit Station is a multimodal connection serving transit and over-the-road buses, as well as automobile passengers, taxis, and bicyclists. It will serve as the anchor for economic development in a part of the county that had lost its commercial businesses when the former Fort Ord military base closed.

He was a regional leader in implementing Intelligent Transportation Systems that include visual tracking of buses through enhanced communication systems, automated voice announcements to ensure compliance with ADA, and visual displays at transit centers to provide passengers with real time bus arrivals and departures. Frank understood that technology improvements alone would not improve ridership and championed the purchase of new fuel efficient buses. Always a creative problem solver, Frank fought for and won FTA approval to leverage the purchase of three buses into a financing package of 46 new buses to respond to 10 percent annual growth in ridership.

Frank amassed a collection of train and bus schedules dating back to the early 1900s, and I am talking to officials at the Smithsonian Institution about the possibility of a display of Frank's memorabilia. Being passionate about all modes of transportation, Frank personally traveled to 34 countries and inspected more than 180 transit systems, always searching for ideas to improve public transit on the Central Coast.

The residents of Del Ray Oaks, Monterey County and the Central Coast mourn the passing of Frank Lichtanski and join me in expressing our heartfelt condolences to Frank's wife, Pam; his daughter, Aaron; and sisters Jeannie Stopa and Fran Stauff, and to the MST family to whom Frank devoted his stellar career.

HONORING SIR FERNANDO MUY

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. HONDA. Mr. Speaker, I rise today with my colleagues in the Congressional Asian Pacific American Caucus to honor the contributions and achievements of Sir Fernando Muy on his recent passing. Sir Muy was an entrepreneur, friend, community volunteer, husband, father, grandfather, and great grandfather. Sir Muy made an impact to each person he came in contact with and left them with compassion, patience, and generosity.

I had the honor of meeting Sir Muy at a community gathering at the On Leong Chinese Community Center last July. I learned that he was a kind and caring man who took interest in helping others. He was a man who pushed for the rights of Chinese both in the U.S. and internationally.

The title "Sir" was bestowed upon Fernando Muy by the 25th Knight of the Imperial Byzantine Order of the Star of Asia, by H.I.R.H. Prince Henri Constantine III the current leader of Byzantine Dynasty of the Eastern Roman Empire. His title was placed upon him for his outstanding accomplishments in making great contributions to the public charity, culture, and his promotion of world peace. Other such winners of this award include President Harry Truman and John Glenn.

Since he had been oppressed by two Communist regimes in China and in Cuba, Sir Muy was a staunch opponent of Communism. With a sound financial foundation behind him, the retired entrepreneur decided to become active in the community. Sir Muy's contributions and tireless advocacy work helped make it possible for Chinese immigrants to have the rights they have today. He advocated and encouraged all immigrants to become citizens, to register to vote so as to exercise their duty and power as citizens.

Sir Muy worked tirelessly to reduce the tension between China and Taiwan by traveling to both countries to encourage on-going dialogue between the two sides. In Miami, his place of residence, he continued his personal commitment to the community by establishing the following organizations in Miami: Chinese Welfare Council in 1978, World Kwong Tung Community Association in 1991, Florida Chinese Federation in 1993 and Overseas Chinese Association in 2000. He also helped with the creation of the following: Chinese American Benevolent Association in 1956, Organization of Chinese Americans—South Florida Chapter in 1987, and United Chinese Association of Florida in 2003.

Sir Muy accepted the position of the National President of Overseas Chinese Association in 2000. He wanted to revitalize an inactive ten-year-old organization with only one chapter in the country of Macao. In order to make an international impact, he decided to stay in Taiwan. The mission of OCA is to unite all overseas Chinese worldwide, to promote harmony by using Founding Father Dr. Sun Yat-San's "Three People's Principles"; preserve the Chinese heritage, and encourage members to actively participate in local civil affairs for equality, and advancement of Chinese.

Sir Fernando Muy will be remembered as a great philanthropist, a successful entrepreneur, a caring father and grandfather. Most of all, he will be remembered for his philanthropy and chivalry's spirit of justice, his commitment to advocate for the welfare and advancement of Chinese worldwide, and the promotion of the Chinese culture.

TRIBUTE TO GENERAL DONALD G. COOK

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. SKELTON. Mr. Speaker, let me take this opportunity to honor General Donald Cook, United States Air Force, for his 36 years of dedicated service.

During the past 36 years, General Cook has served in the Air Force with honor and distinction. He's a command pilot with over 3,300 hours. The general has commanded a flying training wing, two space wings, and the 20th Air Force—a real tribute to his leadership capabilities.

General Cook has been the commander of Air Education and Training Command since December 9th, 2001. This command includes the Air Force Recruiting Service, two numbered air forces, Air University and consists of 15 wings, more than 66,000 active-duty members and 15,000 civilians. As commander of the Air Force University, General Cook was responsible for recruiting, training and educating Airmen to sustain the combat capability of the Air Force.

On a personal note, I have known General Cook and his wife Diane for a number of years. They and their family members are outstanding Americans who have dedicated a great deal of time and energy to public service. General Cook worked in my office for a year, working with me to formulate legislation on professional military education. Through

the years, I have seen Don grow into a superb military leader.

I know the members of the House will join me in Honoring General Cook and in wishing his family and him all the best in the years to come.

A TRIBUTE TO DR. TERRY E. GRANT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. TOWNS. Mr. Speaker, I rise today in recognition of a distinguished member of the healthcare profession and Brooklynite, Dr. Terry E. Grant.

Dr. Grant is the Chief Executive Officer of Gentle Dental, which offers cosmetic and general dentistry, and which serves nursing homes and assisted living facilities. He has also been active as a Chief Division of Geriatric Dentistry at several universities and medical centers. Through dentistry he has conducted various efforts to improve the health of his community.

Dr. Grant's efforts include establishing base line data to track children and families in need of dental services, providing free dental service in his private office to children and families of the working poor and uninsured. He has also developed strategies to improve the overall healthcare of children in his community, including contacting the national dentifrice companies and soliciting their support. Most notably, he has spearheaded a community-based preventive children's dentistry program. The program provides free toothbrushes, fluoride toothpaste, and preventive dentistry lectures to children in conjunction with the Nassau County Dental Society for Children Dental Health month.

Mr. Speaker, it behooves us to pay tribute to the achievements and service of Dr. Grant. May our country continue to benefit from the selfless endeavors of individuals, such as Dr. Terry E. Grant.

CELEBRATING 40TH ANNIVERSARY OF LANDMARK U.S. SUPREME COURT DECISION IN GRISWOLD V. CONNECTICUT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Ms. SLAUGHTER. Mr. Speaker, I rise today to celebrate the 40th anniversary of the landmark U.S. Supreme Court decision in Griswold v. Connecticut. This decision served as the foundation for improvements in women's reproductive health, felt even to this day.

It is difficult to believe that just 40 years ago, it was actually illegal for American women to use birth control. But as late as 1965, 30 states still had laws prohibiting or restricting the sale and use of contraception.

The case of Griswold v. Connecticut involved Estelle Griswold, the Executive Director of the Planned Parenthood League of Connecticut, and the League's Medical Director, Dr. C. Lee Buxton. Ms. Griswold and Dr. Buxton were arrested and convicted under Connecticut's 1879 law forbidding the use of contraception or assisting anyone seeking contraception. They challenged this law—ultimately fighting their case all the way to our Nation's highest court. And, on June 7th 1965, the U.S. Supreme Court invalidated the Connecticut law, opening the door for nationwide counseling and use of contraception.

Griswold v. Connecticut paved the way for future decisions regarding a women's right to reproductive health and privacy—including the 1972 U.S. Supreme Court decision that extended the right to access contraception to unmarried women.

Why was Griswold v. Connecticut so important? Well, consider the fact that in 1965, 45 percent of births to married women were unintentional. But, today, only 14 percent of births to married women occur sooner that planned. In 1965, only 38 percent of women used some form of birth control. Today, nearly 70 percent of women do.

With good cause, a recent poll shows that 80 percent of Americans strongly support women having access to contraception. With newfound ability to control how many children to have and when, women have been able to achieve educational and professional goals that before 1965 were extremely difficult. Access to contraception has dramatically changed women's health, giving them dignity and control over their lives and their futures. Control over their own bodies has also contributed to reductions in maternal and infant mortality through better birth spacing and better health status. Because of contraception, couples can decide when they are financially and emotionally ready to start a family. So children are born into families that are ready and able to fully care for them.

Access and use of birth control are essential components of basic preventative health care for women across the U.S. and has successfully helped reduce national rates of unintended pregnancies.

And, who would have predicted in 1965, that the Centers for Disease Control and Prevention would recognize the significant impact of birth control on American society? But they did. In 1999, the CDC included family planning in their list of the "Ten Great Public Health Achievements in the 20th Century."

However, despite these achievements, access to contraceptives is far from guaranteed. Today, we, as political leaders, stand at a crossroads. We can maintain the status quo, or we can further strive to improve reproductive health and reduce unintended pregnancies in this country. My Prevention First bill would permit women to take greater control over their reproductive health. This legislation would allow greater access to contraception by increasing funding for family planning services to low-income women and requiring insurance companies to cover contraceptives if they cover other prescription drugs.

Today, as we commemorate the momentous Griswold v Connecticut Supreme Court decision that made such a great impact on reducing unintended pregnancies by allowing women to control their reproductive health, I urge my colleagues to support common sense legislation like the Prevention First Act and join me in taking action to further reduce unintended pregnancies.

We have certainly come a long way in just 40 years, but we must remain vigilant to ensure that all women have access to the most basic reproductive health care services and that they are empowered to make the best personal decisions about when they are financially and emotionally ready to start a family.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Ms. LEE. Mr. Speaker, on June 13, 2005 I missed rollcall votes Nos. 241 and 242. Had I been present, I would have voted "aye" on S. 643 and H.R. 2326.

RECOGNIZING JOHN WERKMEISTER OF MEADVILLE, PENNSYLVANIA

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. ENGLISH. Mr. Speaker, I would like to recognize John Werkmeister of Meadville, Pennsylvania, as an exceptional history teacher and role model. Mr. Werkmeister has been named one of eight national finalists for the Richard T. Farrell Teacher of Merit Award. This national award is presented every year to an educator who develops and uses innovative and creative teaching methods to enhance students' interest in history. As a teacher at Cambridge Springs High School in Cambridge Springs, Pennsylvania, he has shown exemplary commitment to making history education engaging and exciting, while involving his students in the National History Day Program.

National History Day is a yearlong program in which students explore historical topics related to an annual theme. Participants qualify for national competition after competing in several local and state competitions. In preparing his students for the program, Mr. Werkmeister's work ethic and research skills provided students with the tools necessary to be successful in competition.

Mr. Speaker, I find it heartening that there are educators in this country who devote so much time and effort to shaping the minds of our young people. It is with great pleasure that I recognize Mr. Werkmeister for his dedication to educating the potential leaders of tomorrow.

TRIBUTE TO ALBERT C. WILTSHIRE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Albert C. Wiltshire, an esteemed community leader. It is an honor to represent Mr. Wiltshire in the House of Representatives and it behooves us to pay tribute to such an outstanding leader.

Mr. Wiltshire obtained a Bachelor of Science Degree in Urban Studies from St. Francis' College and a Master's Degree in Public Administration from New York University. He also received a Senior Managers Program certification from Harvard University's John F. Kennedy School of Government.

Mr. Wiltshire is currently a Government Relations Manager for the KeySpan Corporation. At KeySpan, he provides counsel to the Senior Vice President of Corporate Affairs and Director of Government Relations on the relevant implications of government policy. Prior to joining KeySpan, he served as a Government Relations Manager for Consolidated Edison. Mr. Wiltshire's administrative experience also includes his previous service as President and Chief Operating Officer at the Brooklyn Navy Yard Development Corporation. Through his efforts, the Navy Yard has become the most successful industrial park and economic development project in the nation.

Mr. Wiltshire is certainly a model for the youth in our community. His drive to improve the standard of living and to clear a path for our youth to enter the economic mainstream is evident in all of his endeavors. Mr. Wiltshire has even served as a member of the New York City Police Department, where he became involved in reaching out to young adults at risk. He also restructured the Citywide Model Cities Program and devoted two years to reforming the New York City Juvenile Justice System's approach to youth crime and incarceration.

Mr. Speaker, I believe that it is incumbent on this body to recognize the achievements and service of Mr. Albert C. Wiltshire.

IN RECOGNITION OF THE VARIETY BOYS AND GIRLS CLUB ON THE OCCASION OF ITS 50TH ANNIVERSARY CELEBRATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mrs. MALONEY. Mr. Speaker, I rise to recognize the achievements of the Variety Boys and Girls Club of Queens and its honoree, Chuck Viane, on the evening of the organization's 50th anniversary celebration. The Boys and Girls Club is a wonderful nonprofit organization that offers a wide array of services to New York City children. Our community's young people are truly fortunate to have such an effective and necessary resource at their disposal.

The Variety Boys Club of Queens was established five decades ago in response to the growing problem of youth gangs in the borough. The organization opened May 1, 1955 and registered 3,000 members that first day. Boys came from all parts of Queens to watch movies, play games and participate in sports. In 1981, the club's board of directors first extended services to girls and by 1985, all club programs were available to the young women of Queens.

Today, the club provides youths aged 6 to 17 with a wide range of educational and recreational activities. The club makes every effort to ensure that these children do not ''fall through the cracks,'' giving them a place to do their homework, providing learning assistance, promoting exercise programs, and giving them a safe place to socialize with other children their own age. In so doing, the Club offers young New Yorkers a constructive alternative to truancy, violence, street gangs, drug abuse and teenage pregnancy. Variety Boys and Girls Club members can swim in an Olympic-size indoor swimming pool, participate in a drama group or a cheerleading team, or use the club's Calder Knowledge Lab to do homework, use computers and receive tutoring. The club also provides flute, guitar, and karate lessons, along with many other stimulating and constructive programs. In short, the Variety Boys and Girls Club of Queens gives local kids an opportunity to succeed in whatever field inspires them.

The foregoing would not have been possible without the club's many supporters, including tonight's honoree, Chuck Viane. Mr. Viane, President of Buena Vista Pictures Distribution, is the recipient of the club's 2005 Humanitarian Award for his dedication to public service. Mr. Viane has worked closely with the organization and has coordinated such activities as a Variety Club program to purchase two neonatal ventilators for St. Francis Hospital in Los Angeles. Mr. Viane's generosity has helped the club become an even stronger force in the community, a fact for which I am most grateful.

Mr. Speaker, I request that my colleagues join me in paying tribute to the staff, volunteers and friends of the Variety Boys and Girls Club.

HONORING FLINT MASONIC LODGE NO. 23, F&AM

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. KILDEE. Mr. Speaker, as my hometown of Flint, Michigan celebrates its 150th anniversary this year, I rise before you today to honor an organization that is also celebrating its sesquicentennial. On June 18, Flint residents are invited to join Flint Masonic Lodge No. 23, Free & Accepted Masons will invite the public to join in their commemoration festivities, which include a parade, reception, and banquet.

Based in the Flint Masonic Temple on South Saginaw Street in downtown Flint, Flint Masonic Lodge 23 was chartered on January 11, 1855, becoming another branch of America's oldest and largest fraternal organization. The new members, coming from all walks of life, now counted emperors, kings, and even many of our Founding Fathers as brethren.

Some of Flint's most prominent citizens have been or currently are members of the Masonic fraternity. Several of the city's Mayors, including Charles Stewart Mott, Colonel James Fenton, Harry Cull, George Poulous, James Rutherford, and current Mayor Don Williamson, can be counted among their ranks. Many city streets were named in honor of business and civic leaders who also served as Masons. Their legacy has become an integral part of Flint's history, and its heritage.

Flint Masons have been selflessly committed to improving the community and enhancing human dignity. They are often found at the forefront of charitable drives to benefit the less fortunate, the disabled, and both our younger and older citizens. Their efforts have benefited thousands, and have indeed made the Greater Flint area a better place in which to live.

Mr. Speaker, I ask my colleagues in the 109th Congress to please join me in congratulating the members, past and present, of Flint Masonic Lodge No. 23, F&AM, on their celebration of a true milestone, and wish the Lodge continued success and growth for the next 150 years and beyond.

RECOGNIZING OPERATION SLUGGER

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. LEWIS of Kentucky. Mr. Speaker, I would like to bring to the attention of my colleagues a fantastic program aimed at boosting the morale of our soldiers serving in Iraq and Afghanistan. Operation Slugger is a partnership between the Association for the U.S. Army, AUSA, DHL Express, Louisville Slugger, USA Cares, and the Veterans of Foreign Wars, VFW, focused on providing sporting equipment for recreational activities for our soldiers in the field. This partnership is a response to the numerous requests from U.S. soldiers asking for sports equipment for use during their leisure time.

I am proud to represent Fort Knox, which is one of the many locations across the country, including VFW posts and private businesses, where new and gently used equipment is being collected to make up sports kits. These kits will consist of baseball bats and balls, softball and baseball gloves, hats, footballs, basketballs, rugby balls, and soccer balls. The donated goods, which are expected to exceed 20 tons, will be transported by DHL to Louisville Slugger Field and on to the U.S. troops serving in Afghanistan.

As the men and women of our military put their lives on the line for us, I want to thank these organizations for giving something back to the troops. Please join me in thanking AUSA, DHL, Louisville Slugger, USA Cares, the VFW, and all of the people who have participated for their contributions to Operation Slugger.

SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 14, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes:

Mr. AL GREEN of Texas. Mr. Chairman, I rise today in support of the Small Business Administration's 7(a) loan program.

The 7(a) loan program is essential for our nation's small business owners. It provides accessible and affordable financing that enables such businesses to grow, which in turn leads to the creation of jobs so desperately needed in the current economy. In the past 10 years, the SBA has approved more than 424,000 loans totaling over $90 billion. These loans

have created jobs and economic opportunities for countless Americans.

Small business owners are the backbone of our nation's economy. Representing more than 99.7 percent of all U.S. employers, small businesses are the number one job creator in this nation. They employ more than half of all private sector employees and generate 60 to 80 percent of net new jobs annually. In Houston, 98 percent of the more than 350,000 businesses are small businesses.

Funding for this program was eliminated for FY 2005 and the cost of it was shifted to small businesses and community-based lenders. This has caused small businesses to be charged with high upfront fees which keep many from being able to obtain the financing they need. In fact, small business lending has declined every quarter for a total of half a billion dollars so far this year.

As policy-makers, we have a responsibility to the communities we represent to help them achieve economic strength. Therefore, we must provide small businesses with the resources they need to grow and flourish. One of the most effective ways to do this is to reinstate funding for the 7(a) loan program. If we fail to do this, the 9th Congressional District of Texas and Congressional Districts all over the country will suffer negative impacts.

For these reasons, I support the restoration of funding for the 7(a) loan program to its FY 2004 level of $79 million. I also urge my colleagues to vote "yes" on the Velázquez amendment.

REAUTHORIZATION OF THE HAWAIIAN HOME LANDS HOMEOWNERSHIP ACT

HON. ED CASE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. CASE. Mr. Speaker, I rise to introduce crucial legislation with my colleague from Hawaii, Congressman NEIL ABERCROMBIE, reauthorizing the Hawaiian Home Lands Homeownership Act of 2000. Our bill simply reauthorizes the program for FY 2006 through FY 2009.

Established in 2000 through Title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), the Hawaiian Home Lands Homeownership Act provides affordable housing opportunities to Native Hawaiian families living on the Hawaiian Home Lands of Hawaii.

The Hawaiian Home Lands program, authorized by the federal government under the Hawaiian Homes Commission Act of 1920, is currently being administered by the State of Hawaii's Department of Hawaiian Home Lands. The Department receives over $9 million annually from Title VIII of NAHASDA. The rest of its funds come from the State of Hawaii as well as revenues derived from its own assets and commercial activities.

Funds provided through the Hawaiian Home Lands Homeownership Act, which is the first significant infusion of federal housing for Native Hawaiians assistance since the Hawaiian Home Lands program began in 1921, have been well-utilized and administered through the Department of Hawaiian Home Lands to service our under-served Native Hawaiian communities across the state. Funds have been used for: Infrastructure construction of approximately 200 residential lots; Technical assistance for 110 families constructing their homes using the selfhelp method or with the assistance of Habitat for Humanity; Homeownership counseling for over 300 families; Assistance to community associations to construct or renovate community facilities; and Downpayment assistance and low interest loans to families.

As the housing needs of all of our Hawaii grow more and more critical, particularly given our small land base, any improvement to Native Hawaiian housing needs helps not only our Hawaiian community but all communities in our state.

I look forward to working with my colleagues in the House and Senate, where a companion bill was introduced by Senator DANIEL INOUYE, on passage of this important legislation. Mahalo!

IN RECOGNITION OF ROBROY INDUSTRIES COMPANY'S 100TH ANNIVERSARY

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. EHLERS. Mr. Speaker, I rise to recognize the 100th anniversary of Robroy Industries Company, which is the privately held parent company of Stahlin Non-Metallic Enclosures, a large and progressive employer since 1935 in Belding, Michigan, which is in the Third Congressional District of Michigan.

On June 18, Robroy officials will be celebrating their centennial with an event at their Belding facility. The company was founded as the Enameled Metals Company in 1905 by Scottish immigrant Peter McIlroy in Etna, Pennsylvania. The company's headquarters were relocated to Verona, Pennsylvania in 1958, and in 1977 the renamed Robroy Industries acquired the Stahlin operation in Belding. Today, the company's five plants in Pennsylvania, Texas and Michigan and its headquarters employ about 350 workers.

Stahlin Enclosures is a widely recognized leader in the electrical products industry, making fiberglass electrical enclosures that are used worldwide. The nearly 90 Stahlin officials and employees are very active in their community, contributing to the Belding Public Schools band and athletic programs, the Belding scholarship program, Big Brothers/Big Sisters, Special Olympics and other charities. The company also was named one of "West Michigan's 101 Best & Brightest Companies to Work For" by a local publication.

I hope you join me in congratulating Robroy Industries Company on their century of business and their subsidiary, Stahlin Enclosures, for their 70 years of business in Belding, Michigan.

THE SIGNIFICANCE OF THE UNDERGROUND RAILROAD AND THE IMPORTANCE OF KNOWING THE TRUTH ABOUT OUR HISTORY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. RANGEL. Mr. Speaker, I rise today to recognize the first racially integrated civil rights movement in this country: the Underground Railroad. I recognize the author of the first highly regarded and well researched book on this topic to be written in 100 years, Fergus M. Bordewich. In "Bound for Canaan: The Underground Railroad and the War for the Soul of America," Fergus Bordewich has revealed the truth behind the myth of the Underground Railroad. I was privileged this evening to host with Senator CHARLES SCHUMER of New York a reception to recognize the contribution this new book is making to a greater awareness and understanding of the history of slavery and racial oppression in this Nation and of the heroic efforts of brave Americans to resist these evils.

The myth which generations of Americans have believed is that the Underground Railroad was a monochromatic narrative of high-minded whites assisting terrified helpless blacks to freedom. This myth disintegrates in the powerful true stories of the heroes of the Underground Railroad. The railroad was not a system of tracks. The railroad consisted of people along routes in rural areas and forested areas in cities and on plantations: people who for political and spiritual and religious reasons had one goal: to free human beings from slavery.

In "Bound for Canaan," Mr. Bordewich delivers a powerful message in the gripping personal stories of the heroes who were the Underground Railroad, the slaves and the free. Mr. Bordewich writes in his introduction: "Only recently have African Americans begun to be restored to their rightful place at the center of the story. But the Underground Railroad is no more 'Black history than it is White history': it is American history, and it swept into its orbit courageous Americans of every hue. It was the country's first racially integrated civil rights movement in which whites and blacks worked together for six decades before the Civil War, taking great risks together, saving tens of thousands of lives together and ultimately succeeding together in one of the most ambitious political undertakings in American history."

This political undertaking has not ended; it has continued. Blacks and whites worked together in the Civil Rights Movement of the 1960s; some paying the ultimate price to bring the freedom that had not yet been fully realized in the South because Blacks could not vote. On June 13, 2005, jury selection began in Philadelphia Mississippi in the Civil Rights case against Edgar Ray Killen for the slayings of James Chaney, Andrew Goodman and Michael Schwerner, three young civil rights workers, white and black, brutally killed in 1964. Together with thousands of others, Black and White, took great risks in the tradition of the people who were the Underground Railroad, ultimately bringing the vote to the descendants of the slaves the Underground Railroad saved. They are not forgotten. People of good will have kept their memories alive and their

cause alive. The trial now is important because it reminds us of the high price of freedom and who has paid that price.

Emmett Till's case has been reopened and this reopening is important for the same reason. He was 14 years old in 1955 when on a visit to his relatives in Mississippi he was kidnapped from his uncle's house. When Emmett Till's body was found and returned to his mother in Chicago, it was so disfigured from beating and torture that his mother almost didn't recognize him. She refused offers from the funeral home to clean up his battered body. For his funeral, she insisted on an open casket. The two men tried for the murder were acquitted by a jury of 12 white men. However in a 1956 article in Look magazine, these two men confessed to Emmett Till's brutal murder. The article, pictures of Emmett Till and the confessions reenergized the Civil Rights movement. People all over America were outraged. Artistic works drawing on the incident included the first play by eventual Nobel laureate Toni Morrison, a poem by Langston Hughes and a song by Bob Dylan.

On May 10, 2004, the United States Department of Justice announced that it would reopen the case, an action that many had been calling for to determine if others had been involved in the kidnapping and murder of Emmett Till. In October 2004, the Justice Department confirmed it was focused on two people who had not been charged in the original trial. On June 1, 2005, the body of Emmett Till was exhumed. Through the work of many people, Black and White, this child's killers may finally be brought to justice.

On June 13, 2005, the Senate apologized for refusing in the past to make lynching a federal crime. This was an important vote for the Senate to take. It shows that we as Americans can recognize and take responsibility for terrible mistakes of our past.

It also reminds us that the Underground Railroad was ''illegal'' and many who helped slaves to freedom broke the law. Slaves were property and were expected to be returned to their owners if discovered attempting to run away. The Fugitive Slave Act voted into Law on August 26, 1850 made anyone who hindered a slave catcher, attempted the rescue of a recaptured fugitive, directly or indirectly assisted a fugitive to escape, or harbored a fugitive, liable to a fine of up to one thousand dollars and six months' imprisonment, plus damages of one thousand dollars to the owner for each slave that was lost. Even with the enactment of the law, the Underground Railroad continued its work.

Now we know the crime was slavery. Just as we now recognize lynching was a heinous crime, we must come to see that the laws of the day contributed to the oppression of the Black race by the White majority.

The truth is always important no matter when we learn it. We thank Fergus M. Bordewich for his excellent history of the Underground Railroad.

Reviews of ''Bound for Canaan'' from The Wall Street Journal, The New Yorker, Publishers Weekly, and other publications have given this book high praise.

John J. Miller of the Wall Street Journal wrote Fergus M. Bordewich ''has written an excellent book that is probably as close to a definitive history as we are likely to see.''

Cornell West, University Professor of Religion, Princeton University, and author of ''Race Matters'' wrote ''This is a masterful story—a deeply American story— of the quest for freedom. This multi-racial movement is still a beacon of hope in our present dark times.'

For today, Mr. Speaker, it is important that we reflect on the importance of the racially integrated Civil Rights movement that began with the Underground Railroad and continues today. The men and women who challenged slavery, the policy of segregation, and the policies of racism should be commended for their deeds. They should have the full appreciation of this Nation. Mr. Fergus M. Bordewich deserves the thanks of this Nation for an important book on the history of the first racially integrated civil rights movement in this country.

140TH ANNIVERSARY OF JUNETEENTH

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Ms. PELOSI. Mr. Speaker, I rise today to honor the 140th anniversary of Juneteenth. On June 19, 1865, General Gordan Granger of the Union Army arrived in Galveston, Texas with news of the Emancipation Proclamation and the end of the Civil War. Although President Abraham Lincoln's Emancipation Proclamation went into effect on January 1, 1863, it took almost two and a half years for the Proclamation to be enforced throughout all of the United States.

The 140th anniversary of Juneteenth is a significant milestone in American history. Juneteenth is a reference point from which to appreciate the progress made by African Americans in our society. The 140th anniversary coincides with the 50th anniversary of the Montgomery Bus Boycott in 1955 and the 40th anniversary of Congressional enactment of the Voting Rights Act in 1965.

I would like to congratulate Representative DANNY DAVIS of Illinois for his resolution recognizing the historical significance of Juneteenth. As Representative DAVIS says, ''History should be regarded as a means for understanding the past and solving the future.'' As we look back and honor the past, let us celebrate the progress we have made as a Nation.

The Voting Rights Act, arguably the most successful piece of civil rights legislation ever, is set to expire in 2007. Congress and the President must reauthorize the act to ensure fairness in our political process and equal opportunity for minorities in American politics. Congress must also address the unfortunate disparities facing African Americans, which persist in every aspect of daily life. I congratulate my colleagues in the Congressional Black Caucus who have created an agenda to address these inequalities. We as Americans must work to eliminate injustices and move toward the goal of full equality.

COMMENDING AMERICANS WRITE

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. CAMP. Mr. Speaker, I rise today to recognize Americans Write, an organization that is committed to helping the people of Northern Michigan contact their elected officials.

Americans Write builds on the success of other well-known national opinion ballot organizations, by incorporating issues of the day in its monthly newsletters. By focusing on issues that are most important to its recipients, Americans Write provides the opportunity and inspiration for individuals to engage in the democratic process.

It is important that all Americans become involved in our government, to ensure that their voices are heard. As Americans become increasingly busy, it becomes more important to have organizations like Americans Write to facilitate easy communication with their elected officials.

I commend Americans Write for their efforts in keeping representatives at every level of government apprised of the issues important to the American people.

A CALL FOR MORE THAN A SENATORIAL APOLOGY FOR NOT PASSING ANTI-LYNCHING LAWS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 15, 2005

Mr. RANGEL. Mr. Speaker, I rise today to respond to the Senate's apology for not passing anti-lynching legislation.

The Senate adopted a Resolution this week apologizing for its refusal to pass anti-lynching bills. It acted on June 13, 2005 to apologize for decades of failure to enact a law that would have stopped the systematic torture and murder of thousands; decades during which the U.S. Congress knowingly perpetuated the practice of lynching. Seven presidents asked Congress to outlaw lynching, almost 200 anti-lynching bills were introduced and the House passed anti-lynching legislation three times, but southern filibusters killed all three bills.

The Senate stood by as over 4,700 people, mostly African American, were reportedly lynched between 1882 and 1968. Victims of these horrific acts were subjected to public humiliation. Most were beaten and some were even burned alive amidst the cheering of racist mobs. Their bodies were often left hanging in their communities as a warning to other African Americans, emphasizing the purposeful use of violence and torture by the White majority in America as a tool of oppression of the Black minority.

Although the Senate is being praised for admitting one of the many injustices that have shaped this country, there is still more work to be done. Only 80 of the 100 senators cosponsored the resolution and the senators that did co-sponsor the resolution were able to avoid putting themselves on record because the resolution passed by voice vote. There still appears to be reluctance, even today, on the part of many senators to publicly apologize for the complicity of the Senate in allowing the perpetration of systematic acts of terrorism against African Americans.

Lynching has destroyed generations of African American families. Today, African American communities are still suffering at the hands of injustice. The increasing prison population, disparities in public schools and lack of access to healthcare services continue to disable African Americans. We must have the

apology become the beginning of a serious effort to examine the consequences of the oppression of African Americans symbolized by the practice of lynching, consequences which continue to afflict this community today.

Let us address these problems now instead of apologizing for them later.

The following New York Times article by Sheryl Gay Stolberg discusses the Senate action.

SENATE ISSUES APOLOGY OVER FAILURE ON LYNCHING LAW

Anthony Crawford's granddaughter went to her grave without speaking a word to her own children about his lynching, so painful was the family history. On Monday, Mr. Crawford's descendants came to the Capitol to tell it—and to accept a formal apology from the Senate for its repeated failure, despite the requests of seven presidents, to enact a federal law to make lynching a crime.

The formal apology, adopted by voice vote, was issued decades after senators blocked antilynching bills by filibuster. The resolution is the first time that members of Congress, who have apologized to Japanese-Americans for their internment in World War II and to Hawaiians for the overthrow of their kingdom, have apologized to African-Americans for any reason, proponents of the measure said.

''The Senate failed you and your ancestors and our nation,'' Senator Mary L. Landrieu of Louisiana, chief Democratic sponsor of the resolution, said at a luncheon attended by 200 family members and descendants of victims. They included 100 relatives of Anthony Crawford, as well as a 91-year-old man believed to be the only known survivor of an attempted lynching.

He is James Cameron, who in 1930, as a 16-year-old shoeshine boy in Marion, Ind., was accused with two friends of murdering a white man and raping a white woman. His friends were killed. But as Mr. Cameron felt a noose being slipped around his neck, a man in the crowd stepped forward to proclaim Mr. Cameron's innocence. Mr. Cameron came here in a gray suit and a wheelchair, his voice shaky but his memories apparently fresh.

They took the rope off my neck, those hands that had been so rough and ready to kill or had already killed, they took the rope off of my neck and they allowed me to start walking and stagger back to the jail, which was just a half-block away,'' Mr. Cameron told a news conference. ''When I got back to the jail, the sheriff said, 'I'm going to get you out of here for safekeeping.' ''

He learned only later, he said, that the sheriff was a member of the Ku Klux Klan. ''I was saved,'' Mr. Cameron said, ''by a miracle.''

There have been 4,742 recorded lynchings in American history, Ms. Landrieu said.

Historians suspect that many more went undocumented. Although the House passed antilynching legislation three times in the first half of the 20th century, the Senate, controlled by Southern conservatives, repeatedly refused to do so. Senator George Allen of Virginia, chief Republican sponsor of the new resolution, called it ''this stain on the history of the United States Senate.''

Although the Senate garnered praise on Monday for acting to erase that stain, some critics said lawmakers had a long way to go. Of the 100 senators, 80 were co-sponsors of the resolution, and because it passed by voice vote, senators escaped putting themselves on record.

''It's a statement in itself that there aren't 100 co-sponsors,'' Senator John Kerry, Democrat of Massachusetts, said. ''It's a statement in itself that there's not an up-or-down vote.''

Others described the resolution as an act of expediency for Mr. Allen, who is a likely presidential candidate and who has been criticized for displaying a Confederate flag at his home and a noose in his law office. Mr. Allen said that they were part of collections of flags and Western paraphernalia and that he was motivated not by politics, but by a plea by Dick Gregory, the civil rights advocate, who wrote him a letter urging him not to ''choose to do nothing.''

The memories were especially painful for the relatives of Anthony Crawford, whose family was torn apart by the lynching. Mr. Crawford had been a wealthy black landowner in Abbeville, S.C., a cotton farmer, registered voter and community leader who founded a school for black children and a union for black families. In 1916, after a dispute with a white man over the price of cotton seed, he was hanged from a pine tree and shot more than 200 times. His family lost his land, and the relatives scattered.

''Someone is finally recognizing our pain,'' said Alberta Merriwether, a retired schoolteacher who is his great-granddaughter and whose mother never spoke of the lynching.

Mrs. Merriwether's aunt Magdalene Latimer, 84, was not so certain about the senators. ''I have to let God be the judge,'' Ms. Latimer said, ''because I don't know if they meant it out of their heart or they're just saying it out of their mouth.''

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 16, 2005 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 21

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine regulatory relief proposals.
SD–538

Commerce, Science, and Transportation
Fisheries and Coast Guard Subcommittee
To hold hearings to examine the Coast Guard's revised deepwater implementation plan.
SR–253

Homeland Security and Governmental Affairs
To hold hearings to examine issues relating to juvenile diabetes, focusing on the personal toll on families, financial costs to the Federal health care system, and research progress toward a cure.
SH–216

Rules and Administration
To hold hearings to examine the issue of voter verification in the Federal elections process.
SR–301

2:30 p.m.
Foreign Relations
To hold hearings to examine the nominations of Larry Miles Dinger, of Iowa, to be Ambassador to the Republic of the Fiji Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, the Kingdom of Tonga, Tuvalu, and the Republic of Kiribati, Joseph A. Mussomeli, of Virginia, to be Ambassador to the Kingdom of Cambodia, and Emil A. Skodon, of Illinois, to be Ambassador to Brunei Darussalam.
SD–419

3 p.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
Business meeting to markup H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006.
SD–192

JUNE 22

9:30 a.m.
Environment and Public Works
To hold an oversight hearing to examine grants management within the Environmental Protection Agency.
SD–406

Indian Affairs
To hold an oversight hearing to examine the In Re Tribal Lobbying Matters, Et Al.
SH–216

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine telecom mergers.
SR–253

Health, Education, Labor, and Pensions
Business meeting to consider pending calendar business.
SD–430

10:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the Livestock Mandatory Reporting Act of 1999.
SR–328A

2:30 p.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings to examine financial stability of airlines.
SR–253

JUNE 23

10 a.m.
Commerce, Science, and Transportation
Business meeting to consider pending calendar business.
SR–253

Health, Education, Labor, and Pensions
To hold hearings to examine Family Medical Leave Act.
SD–430

Veterans' Affairs
To hold hearings to examine pending veterans benefits related legislation.
SR–418

2 p.m.
Appropriations
Business meeting to markup H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and proposed legislation making appropriations for fiscal year 2006 for the Legislative Branch.
SD–106

JUNE 28

10 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the Agricultural Risk Protection Act of 2000 and related crop insurance issues.
SR–328A

Commerce, Science, and Transportation
Global Climate Change and Impacts Subcommittee
To hold hearings to examine coastal impacts.
SR–253

Indian Affairs
To hold an oversight hearing to examine regulation of Indian gaming.
Room to be announced

Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 206, to designate the Ice Age Floods National Geologic Trail, S. 556, to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain land adjacent to the Walnut Canyon National Monument in the State of Arizona, S. 588, to amend the National Trails System Act to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study on the feasibility of designating the Arizona Trail as a national scenic trail or a national historic trail, and S. 955, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin.
SD–366

JUNE 29

9:30 a.m.
Indian Affairs
Business meeting to consider pending committee issues.
SR–485

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine Spectrum-DTV.
SR–253

2:30 p.m.
Commerce, Science, and Transportation
Disaster Prevention and Prediction Subcommittee
To hold hearings to examine national weather service-severe weather.
SR–253

JUNE 30

10 a.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine e-health initiatives.
SR–253

2 p.m.
Appropriations
Business meeting to markup H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, proposed legislation making appropriations for fiscal year 2006 for the Department of State, and proposed legislation making appropriations for fiscal year 2006 for foreign operations.
SD–106

3 p.m.
Health, Education, Labor, and Pensions
Education and Early Childhood Development Subcommittee
To hold hearings to examine issues relating to American history.
SD–430

SEPTEMBER 20

10 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans Affairs to examine the legislative presentation of the American Legion.
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Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6599–S6668

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 1249–1253, and S. Con. Res. 42. **Page S6658**

Measures Passed:

Senator William V. Roth, Jr. Bridge: Senate passed S. 1140, to designate the State Route 1 Bridge in the State of Delaware as the ''Senator William V. Roth, Jr. Bridge''. **Page S6667**

Reynaldo G. Garza and Filemon B. Vela United States Courthouse: Senate passed H.R. 483, to designate a United States courthouse in Brownsville, Texas, as the ''Reynaldo G. Garza and Filemon B. Vela United States Courthouse'', clearing the measure for the President. **Page S6667**

Energy Policy Act: Senate continued consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, taking action on the following amendments proposed thereto: **Pages S6601–41, S6642–43**

Adopted:

By 70 yeas to 26 nays (Vote No. 139), Domenici Modified Amendment No. 779 (to Amendment No. 775), to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence. **Pages S6602–14**

Rejected:

Schumer Amendment No. 782 (to Amendment No. 779), to strike the reliable fuels subtitle of the amendment. (By 69 yeas to 28 nays (Vote No. 138), Senate tabled the amendment.) **Pages S6601–02**

Pending:

Cantwell Amendment No. 784, to improve the energy security of the United States and reduce United States dependence on foreign oil imports by 40 percent by 2025. **Pages S6620–41**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, June 16, 2005. **Page S6667**

Nominations Confirmed: Senate confirmed the following nominations:

Carolyn L. Gallagher, of Texas, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2009

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2005.

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2014.

David Garman, of Virginia, to be Under Secretary of Energy.

Ben S. Bernanke, of New Jersey, to be a Member of the Council of Economic Advisers. **Page S6668**

Executive Communications: **Pages S6653–54**

Executive Reports of Committees: **Pages S6654–58**

Additional Cosponsors: **Pages S6658–60**

Statements on Introduced Bills/Resolutions: **Pages S6660–64**

Additional Statements: **Pages S6650–53**

Amendments Submitted: **Pages S6664–66**

Authority for Committees to Meet: **Pages S6666–67**

Privilege of the Floor: **Page S6667**

Record Votes: Two record votes were taken today. (Total—139) **Pages S6602, S6613–14**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:35 p.m. until 9:30 a.m., on Thursday, June 16, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S6667–68.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DISTRICT OF COLUMBIA

Committee on Appropriations: Subcommittee on District of Columbia concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the government of the District of Columbia, after receiving testimony from Mayor Anthony A. Williams, Linda W. Cropp, Chairman, Council, Natwar M.

Gandhi, Chief Financial Officer, and Clifford B. Janey, Superintendent, Chief State School Officer, all of the government of the District of Columbia.

PENSION BENEFIT GUARANTY CORPORATION

Committee on the Budget: Committee concluded a hearing to examine current financial condition and potential risks relating to solvency of the Pension Benefit Guaranty Corporation, focusing on the state of the defined benefit system, and accrual accounting and exposure to underfunding of pension plans, after receiving testimony from Bradley D. Belt, Executive Director, Pension Benefit Guaranty Corporation; and Douglas Holtz-Eakin, Director, Congressional Budget Office.

BALLAST WATER INVASIVE SPECIES MANAGEMENT

Committee on Commerce, Science, and Transportation: National Ocean Policy Study concluded a hearing to examine ballast water invasive species management and threats to coral reefs, focusing on reauthorization of the Coral Reef Conservation Act, after receiving testimony from Timothy R.E. Keeney, Deputy Assistant Secretary of Commerce for Oceans and Atmosphere, National Oceanic and Atmospheric Administration; Rear Admiral Thomas H. Gilmour, Assistant Commandant for Marine Safety, Security, and Environmental Protection, U.S. Coast Guard, Department of Homeland Security; Maurya B. Falkner, California State Lands Commission, Sacramento; Kathy J. Metcalf, Chamber of Shipping of America, Washington, D.C., on behalf of the Shipping Industry Ballast Water Coalition; Joel C. Mandelman, Nutech 03, Incorporated, Arlington, Virginia; and Kim Hum, The Nature Conservancy of Hawaii, Honolulu.

MEDICAID REFORM

Committee on Finance: Committee held a hearing to examine strategies for strengthening Medicaid, focusing on the impact on State government budgets, cost-sharing rules, enhancing quality and reducing costs of the overall health care system, and strengthening employer-based and other forms of health care coverage, receiving testimony from Virginia Governor Mark Warner, Richmond, and Arkansas Governor Mike Huckabee, Little Rock, both on behalf of the National Governors Association; Alan R. Weil, National Academy for State Health Policy, Portland, Maine; and Jeanne M. Lambrew, Center for American Progress, and Stuart M. Butler, The Heritage Foundation, both of Washington, D.C.

Hearing recessed subject to call.

NOMINATIONS

Committee on Foreign Relations: Committee ordered favorably reported the nominations of Zalmay Khalilzad, of Maryland, to be Ambassador to Iraq, Eduardo Aguirre, Jr., of Texas, to be Ambassador to Spain and Andorra, Julie Finley, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, Craig Roberts Stapleton, of Connecticut, to be Ambassador to France, Robert Johann Dieter, of Colorado, to be Ambassador to Belize, Rodolphe M. Vallee, of Vermont, to be Ambassador to the Slovak Republic, Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta, Ann Louise Wagner, of Missouri, to be Ambassador to Luxembourg, Donald E. Booth, of Virginia, to be Ambassador to the Republic of Liberia, Pamela E. Bridgewater, of Virginia, to be Ambassador to the Republic of Ghana, Terence Patrick McCulley, of Oregon, to be Ambassador to the Republic of Mali, Roger Dwayne Pierce, of Virginia, to be Ambassador to Republic of Cape Verde, Christopher J. Hanley, of Maryland, to be a Member of the Board of Directors of the Overseas Private Investment Corporation, Jorge A. Plasencia, of Florida, to be a Member of the Advisory Board for Cuba Broadcasting, Jay T. Snyder, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy, Richard J . Griffin, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service, and to be Assistant Secretary of State for Diplomatic Security, and certain Foreign Service Officer promotion lists.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing on the nominations of Ronald E. Neumann, of Virginia, to be Ambassador to the Islamic Republic of Afghanistan, Gregory L. Schulte, of Virginia, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador, and Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, and Michael E. Hess, of New York, to be Assistant Administrator of the United States Agency for International Development in the Bureau of Democracy, Conflict and Humanitarian Assistance, after the nominees testified and answered questions in their own behalf.

CHEMICAL FACILITIES SAFETY

Committee on Homeland Security and Governmental Affairs: Committee held a hearing to determine whether the Federal government is doing enough to secure

chemical facilities, focusing on buffer zone protection plans (BZPPs), site assistance visits (SAVs), and increased security information sharing, receiving testimony from Robert B. Stephan, Acting Under Secretary of Homeland Security for Information Analysis and Infrastructure Protection; and Thomas P. Dunne, Deputy Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency.

Hearing recessed subject to call.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Linda M. Springer, of Pennsylvania, to be Director of the Office of Personnel Management, Laura A. Cordero, to be an Associate Judge of the Superior Court of the District of Columbia, who was introduced by District of Columbia Delegate Norton, and A. Noel Anketell Kramer, to be an Associate Judge of the District of Columbia Court of Appeals, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the nomination of Lester M. Crawford, of Maryland, to be Commissioner of Food and Drugs, Department of Health and Human Services.

YOUTH SUICIDE PREVENTION

Committee on Indian Affairs: Committee concluded an oversight hearing to examine youth suicide prevention among Native Americans, focusing on economic issues, health care benefits and access, behavioral health care issues for tribal youth, and traditional health practice, after receiving testimony from Richard H. Carmona, Surgeon General, Public Health Service, Office of Public Health and Science, and Charles Grim, Director, Indian Health Service, both of the Department of Health and Human Services; Twila Rough Surface, Standing Rock Sioux Tribe, Fort Yates, North Dakota; Joseph B. Stone, Confederated Tribes of the Grande Ronde Behavioral Health Program, Grande Ronde, Oregon, on behalf of the American Psychological Association; Julie Garreau, Cheyenne River Youth Project, Eagle Butte, South Dakota; R. Dale Walker, Oregon Health and Science University One Sky Center, Portland; and Clark Flatt, The Jason Foundation, Inc., Hendersonville, Tennessee.

DETAINEES

Committee on the Judiciary: Committee concluded a hearing to examine issues relating to detainees at the Guantanamo Bay Naval Station in Cuba, focusing on certain Supreme Court rulings related to detained enemy combatants, status of cases pending before Military Commissions, and the war on terrorism, after receiving testimony from Brigadier General Thomas L. Hemingway, Legal Advisor to the Appointing Authority for the Office of Military Commissions, and Rear Admiral James M. McGarrah, Director of Administrative Review of the Detention of Enemy Combatants, and Lieutenant Commander Charles D. Swift, Judge Advocate General's Corps, both of the Department of the Navy, all of the Department of Defense; J. Michael Wiggins, Deputy Associate Attorney General, and Glenn A. Fine, Inspector General, both of the Department of Justice; William P. Barr, Verizon Corporation, Washington, D.C., former U.S. Attorney General; Joseph Margulies, University of Chicago Law School MacArthur Justice Center, Chicago, Illinois; and Stephen J. Schulhofer, New York University School of Law, New York, New York.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

ENERGY COSTS AND THE ELDERLY

Special Committee on Aging: Committee concluded a hearing to examine the effects of rising energy prices and their impact on America's senior citizens, focusing on the costs of heating oil, gasoline, residential natural gas, and electricity, after receiving testimony from Margot H. Anderson, Director, Office of Energy Markets and End Use, Energy Information Administration, Department of Energy; Nelda Barnett, Owensboro, Kentucky, on behalf of the AARP; Donna K. Harvey, Hawkeye Valley Area Agency on Aging, Inc., Waterloo, Iowa, on behalf of the National Association of Area Agencies on Aging; and Jim Slusher, Mid Columbia Community Action Council, Inc., The Dalles, Oregon.

House of Representatives

Chamber Action

Measures Introduced: 27 public bills, H.R. 2903-2929; and 4 resolutions, H. Res. 320–323 were introduced. **Pages H4560–61**

Additional Cosponsors: **Pages H4561–62**

Reports Filed: Reports were filed today as follows:

H. Res. 319, providing for consideration of H.R. 2745, to reform the United Nations (H. Rept. 109–132);

H.R. 68, to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration and the Jet Propulsion Laboratory, amended (H. Rept. 109–133, Pt. 1); and

H.R. 358, to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, amended (H. Rept. 109–134, Pt. 1). **Pages H4559–60**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bradley to act as speaker pro tempore for today. **Page H4489**

Chaplain: The prayer was offered by Dr. Edward D. Johnson, Senior Pastor, First Baptist Church of Ocala in Ocala, Florida. **Page H4489**

Science, Justice, State, and Commerce, and Related Agencies Appropriations Act for FY 2006: The House continued consideration of H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006. The bill was also considered yesterday, June 14. Further consideration will continue tomorrow, June 16. **Pages H4494–H4553**

Agreed yesterday, June 14, to limit further amendments made in order for debate and the time limit for debate on such amendments. **Page H4494**

H. Res. 314, the rule providing for consideration of the bill was agreed to yesterday, June 14. **Page H4494**

Agreed to:

Wolf amendment that increases funding for Community Oriented Policing Services; **Page H4495**

Paul amendment (no. 10 printed in the Congressional Record of June 13) that prohibits the use of funds by the U.N. to develop or publicize any proposal concerning taxation or fees on any U.S. person in order to raise revenue for the U.N.; **Pages H4518–19**

Chocola amendment (no. 1 printed in the Congressional Record of June 13) that prohibits the use of funds by NASA to employ any individual under the title "artist in residence"; **Pages H4530–31**

King of Iowa amendment (no. 28 printed in the Congressional Record of June 14) that provides funding for enforcment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; **Page H4543**

Jackson-Lee amendment that prohibits the use of funds to deny the production of safety reports regarding the NASA Space Shuttle program and the International Space Station; **Pages H4548–49**

Hostettler amendment (no. 21 printed in the Congressional Record of June 13) that prohibits the use of funds to enforce the judgment of the U.S. District Court for the Southern District of Indiana in the case of Russelburg v. Gibson County, decided January 31, 2005 (by a recorded vote of 242 ayes to 182 noes, Roll No. 257); and **Pages H4532–34, H4550–51**

Sanders amendment (no. 15 printed in the Congressional Record of June 13) that prohibits the use of funds to make an application under the Foreign Intelligence Surveillance Act of 1978 for an order requiring the production of library circulation records, library patron lists, book sales records, or book customer lists (by a recorded vote of 238 ayes to 187 noes, Roll No. 258). **Pages H4534–42, H4551**

Rejected:

Moore of Wisconsin amendment that sought to provide funding for operational assistance grants under the Small Business Investment Act of 1958, and for guarantees of debentures under the Small Business Act; **Page H4511**

Weiner amendment that sought to increase funding for Community Oriented Policing Services (by a recorded vote of 31 ayes to 396 noes, Roll No. 251); **Pages H4495–H4500, H4526–27**

Inslee amendment that sought to increase funding for NOAA, Operations, Research, and Facilities (by a recorded vote of 177 ayes to 248 noes, Roll No. 252); **Pages H4501–05, H4527–28**

Hayworth amendment (no. 33 printed in the Congressional Record of June 14) that sought to reduce funding for contributions to international organizations (by a recorded vote of 124 ayes to 304 noes, Roll No. 253); **Pages H4505–08, H4528**

Flake amendment that sought to prohibit the use of funds to implement, administer, or enforce the amendments to title 15, Code of Federal Regulations, relating to license exemptions for gift parcels

and humanitarian donations for Cuba (by a recorded vote of 210 ayes to 216 noes, Roll No. 254);

Pages H4516–18, H4528–29

Hinchey amendment that sought to prohibit the use of funds to prevent Alaska, California, Colorado, Hawaii, Maine, Montana, Nevada, Oregon, Vermont, or Washington from implementing state laws authorizing the use of medical marijuana (by a recorded vote of 161 ayes to 264 noes, Roll No. 255);

Pages H4519–24, H4529

Nadler amendment (no. 9 printed in the Congressional Record of June 13) that sought to prohibit the use of funds to issue a national security letter, for health insurance records, under the provisions of law amended by the USA PATRIOT Act of 2001; and **Pages H4543–46**

Jones of Ohio amendment that sought to prohibit the use of funds to close or consolidate any office of the Equal Employment Opportunity Commission (by a recorded vote of 201 ayes to 222 noes, Roll No. 256). **Pages H4531–32, H4549–50**

Withdrawn:

Mica amendment that was offered and subsequently withdrawn that sought to increase funding for the International Trade Administration;

Pages H4500–01

McDermott amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to prosecute any individual for travel to Cuba; **Pages H4515–16**

Schiff amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds designated for a DNA analysis and capacity enhancement program, and for other forensic activities, to be used for a grant to a State that does not have policies and procedures to ensure that the State collects DNA from every felon convicted in the courts of the State; **Pages H4524–25**

Otter amendment (no. 29 printed in the Congressional Record of June 14) that was offered and subsequently withdrawn that sought to add a new title to the end of the bill, regarding the Limitation on Authority to Delay Notice of Search Warrants;

Page H4525

Jackson-Lee amendment (no. 23 printed in the Congressional Record of June 14) that was offered and subsequently withdrawn that sought to prohibit the use of funds to facilitate the issuance of affirmances by single members of the Board of Immigration Appeals without an accompanying opinion; and **Page H4534**

Stearns amendment (no. 17 printed in the Congressional Record of June 13) that was offered and subsequently withdrawn that sought to prohibit the use of funds for the design, construction, or rental of any new headquarters for the U.N. in New York City or any other location in the U.S. **Pages H4546–48**

Point of Order:

Reyes amendment that sought to urge the President and Secretary of State to incorporate the investigative and preventative efforts of the Government of Mexico in the bilateral agenda between Mexico and the U.S.; and to support efforts to identify unknown victims through forensic analysis;

Pages H4508–11

Section 607 regarding the Made in America label; and **Pages H4514–15**

Schiff amendment that sought to express the sense of Congress that all necessary steps should be taken to provide adequate security for the judiciary and to protect and uphold the independence of the judicial branch. **Page H4525**

Quorum Calls—Votes: Eight recorded votes developed during the proceedings of today and appear on pages H4526–27, H4527, H4528, H4528–29, H4529, H4550, H4550–51, H4552. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:43 p.m.

Committee Meetings

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD.

THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS FISCAL YEAR 2006

Committee on Appropriations: Subcommittee on The Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies approved for full Committee action The Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies appropriations for Fiscal Year 2006.

PENSION PROTECTION ACT OF 2005

Committee on Education and the Workforce: Held a hearing on H.R. 2830, Pension Protection Act of 2005. Testimony was heard from public witnesses.

MEDICAID REFORM

Committee on Energy and Commerce: Held a hearing entitled ''Medicaid Reform: The National Governor's Association's Bipartisan Roadmap.'' Testimony was heard from the following Governors: Mike Huckabee of Arkansas and Mark R. Warner of Virginia.

PRODUCT COUNTERFEITING

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on Product Counterfeiting: How Fakes Are Undermining U.S. Jobs, Innovation, and Consumer Safety. Testimony was heard from public witnesses.

REAL ESTATE COMPETITION

Committee on Financial Services: Held a hearing entitled ''Protecting Consumers and Promoting Competition in Real Estate Services.'' Testimony was heard from Representative Leach; former Representative Thomas J. Bliley of Virginia; and public witnesses.

STEROID USE IN SPORTS

Committee on Government Reform: Held a hearing entitled ''Eradicating Steroids Use, Part IV: Examining the Use of Steroids by Young Women to Enhance Athletic Performance and Body Image.'' Testimony was heard from Mari Holden, Olympian and World Champion Cyclist; Kelli White, former World Champion Sprinter; and public witnesses.

OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing on Reauthorization of the Office of National Drug Control Policy. Testimony was heard from John P.Walters, Director, Office of National Drug Control Policy; and public witnesses.

CHEMICAL PLANT SECURITY

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled ''Preventing Terrorist Attacks on America's Chemical Plants.'' Testimony was heard from Robert Stephan, Assistant Secretary, Infrastructure Protection, Department of Homeland Security; and public witnesses.

BRIEFING—CHEMICAL PLANT SECURITY

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment continued to meet in executive session to receive a briefing on Chemical Plant Security. The Subcommittee was briefed by departmental witnesses.

OVERSIGHT—DIVERSITY VISA PROGRAM

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on The Diversity Visa Program. Testimony was heard from Howard J. Krongard, Inspector General, Department of State and Broadcasting Board of Governors; and public witnesses.

OVERSIGHT—FEDERAL LAND AND LOCAL GOVERNMENT

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on the Impacts of Federal Land Ownership on Communities and Local Governments. Testimony was heard from Mark Rey, Under Secretary, Natural Resources and Environment, USDA; James M. Hughes, Deputy Director, Bureau of Land Management, Department of the Interior; Roger West, Representative, House of Representatives, State of North Carolina; and public witnesses.

HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing 20 minutes of general debate on H.R. 2745, Henry J. Hyde United Nations Reform Act of 2005, to be equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on International Relations.

The rule makes in order only those amendments printed in the Rules Committee report and amendments en bloc described in section 3 of the resolution. The rule provides that amendments shall be considered only in the order specified in the report, may be offered only by a Member designated in the report, shall be debatable for the time specified in the report, shall not be subject to amendment, shall be considered as read, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against amendments printed in the Rules Committee report and amendments en bloc described in section 3 of the resolution.

The rule provides for an additional 20 minutes of general debate on the topic of accountability of the United Nations prior to consideration of amendments printed in subpart A of Part 1 of the report; an additional 10 minutes of general debate on the topic of United Nations peacekeeping operations prior to consideration of amendments printed in subpart B of Part 1 of the report; an additional 10 minutes of general debate on the topic of the International Atomic Energy Agency prior to consideration of amendments printed in subpart C of Part 1

of the report; an additional 20 minutes of general debate on the topic of human rights prior to consideration of amendments printed in subpart D of Part 1 of the report; an additional 20 minutes of general debate on the topic of the Oil-for-Food Program prior to consideration of amendments printed in subpart E of Part 1 of the report.

The rule authorizes the chairman of the Committee on International Relations or his designee to offer amendments en bloc consisting of amendments in part 2 of the report or germane modifications thereto, which shall be considered as read except that modifications shall be reported, which shall not be subject to amendment or a demand for division of the question in the House or in the Committee of the Whole, and which shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations or their designees. Finally, the rule provides one motion to recommit with or without instructions.

OVERSIGHT—COAST GUARD LAW ENFORCEMENT

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on Coast Guard Law Enforcement. Testimony was heard from RADM R. Dennis Sirois, USCG, Acting Commandant for Operations, U.S. Coast Guard, Department of Homeland Security.

DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT IMPLEMENTATION ACT

Committee on Ways and Means: Approved, as amended, the draft implementing proposal on the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act.

COMMITTEE MEETINGS FOR THURSDAY, JUNE 16, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to mark up H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, 2 p.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine S. 705, to establish the Interagency Council on Meeting the Housing and Service Needs of Seniors, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine Federal legislative solutions to data breach and identity theft, 10 a.m., SR–253.

Full Committee, to hold hearings to examine the nominations of William Alan Jeffrey, of Virginia, to be Director of the National Institute of Standards and Technology, and Israel Hernandez, of Texas, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, both of the Department of Commerce, Ashok G. Kaveeshwar, of Maryland, to be Administrator of the Research and Innovative Technology Administration, Department of Transportation, and Edmund S. Hawley, of California, to be Assistant Secretary of Homeland Security for Transportation Security Administration, 2:30 p.m., SR–253.

Committee on Finance: business meeting to mark up an original bill entitled, "Energy Policy Tax Incentives Act of 2005," 10:30 a.m., SD–628.

Committee on Foreign Relations: to hold hearings to examine stabilization and reconstruction regarding building peace in a hostile environment, 9:30 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations, to resume hearings to examine tax delinquency problems with Federal contractors, 9:30 a.m., SD–562.

Committee on Indian Affairs: to hold an oversight hearing to examine Indian education, 9:30 a.m., SR–485.

Committee on the Judiciary: business meeting to consider S. 491, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to expand the definition of firefighter to include apprentices and trainees, regardless of age or duty limitations, and the nominations of Terrence W. Boyle, of North Carolina, to be United States Circuit Judge for the Fourth Circuit, Brett M. Kavanaugh, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, and Rachel Brand, of Iowa, to be Assistant Attorney General for the Office of Legal Policy, and Alice S. Fisher, of Virginia, to be Assistant Attorney General for the Criminal Division, both of the Department of Justice, and committee's rules of procedure for the 109th Congress, 9:30 a.m., SD–226.

Select Committee on Intelligence: to hold hearings to examine the nomination of Janice B. Gardner, of Virginia, to be Assistant Secretary of the Treasury for Intelligence and Analysis, 3 p.m., SDG–50.

House

Committee on Agriculture, Subcommittee on Specialty Crops and Foreign Agriculture Programs, hearing to Review Food Aid Programs, 10 a.m., 1300 Longworth.

Committee on Appropriations, to mark up the following appropriations for Fiscal Year 2006: Legislative Branch; and the Department of Labor, Health and Human Services, Education, and Related Agencies. 1:30 p.m., 2359 Rayburn.

Subcommittee on Foreign Operations, Export Financing, and Related Programs, to mark up Fiscal Year 2006 appropriations, 9 a.m., 2359 Rayburn.

Committee on Education and the Workforce, Subcommittee on Select Education, to mark up the following bills: H.R. 509, International Studies in Higher Education Act of

2005; and H.R. 510, Graduate Opportunities in Higher Education Act of 2005, 10:30 a.m., 2175 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''SMART Insurance Reform,'' 10 a.m., 2128 Rayburn.

Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, hearing entitled ''The US–EU Economic Relationship: What Comes Next?'' 2 p.m., 2128 Rayburn.

Committee on Government Reform, to consider the following measures: H.R. 2829, Office of National Drug Control Policy Reauthorization Act of 2005; H.R. 994, To amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums; H.R. 1283, To provide that transit pass transportation fringe benefits be made available to all qualified Federal employees in the National Capital Region; to allow passenger carriers which are owned or leased by the Government to be used to transport Government employees between their place of employment and mass transit facilities; H.R. 1317, Federal; Employee Protection of Disclosures Act; H.R. 1765 , Generating Opportunity by Forgiving Educational Debt for Service Act of 2005; H.R. 2385, To make permanent the authority of the Secretary of Commerce to conduct the quarterly financial report program; a Committee report on National Drug Control Strategy; H. Con. Res 71, Expressing the sense of Congress that there should be established a Caribbean-American Heritage Month; H. Con. Res. 160, Recognizing the historical significance of Juneteenth Independence Day, and expressing the sense of Congress that history should be regarded as a means for understanding the past and solving the challenges of the future; H.R. 2113, To designate the facility of the United States Postal Service located at 2000 McDonough Street in Joliet, Illinois, as the ''John F. Whiteside Joliet Post Office Building;'' H.R. 2183, To designate the facility of the United States Postal Service located at 567 Tompkins Avenue in Staten Island, New York, as the ''Vincent Palladino Post Office;'' H.R. 2346, To designate the facility of the United States Postal Service located at 105 NW Railroad Avenue in Hammond, Louisiana, as the ''John J. Hainkel Post Office Building;'' H.R. 2490, To designate the facility of the United States Postal Service located at 442 West Hamilton Street, Allentown, Pennsylvania, as the ''Mayor Joseph S. Daddona Memorial Post Office;'' and H.R. 2630, To redesignate the facility of the United States Postal Service located at 1927 Sangamon Avenue in Springfield, Illinois, as the ''J.M. Dietrich Northeast Annex,'' 10:30 a.m., 2154 Rayburn.

Committee on Homeland Security, Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity, hearing entitled ''The Promise of Registered Traveler, Part II,'' 1 p.m., 210 Cannon.

Subcommittee on Management, Integration, and Oversight, hearing entitled ''Mismanagement of the Border Surveillance System and Lessons for the New America's Shield Initiative,'' 10 a.m., 2212 Rayburn.

Committee on Resources, Subcommittee on Energy and Mineral Resources, oversight hearing entitled ''Impacts of Environmental Regulations on Energy and Mineral Development: The Wildlands Project,'' 10 a.m., 1334 Longworth.

Committee on Science, Subcommittee on Energy, hearing on Nuclear Fuel Reprocessing,10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, to mark up H.R. 2864, Water Resources Development Act of 2005, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, hearing to consider the following: a measure to amend the Servicemembers' Group Life Insurance (SGLI) program; a measure regarding the Traumatic Injury Protection provisions of Public Law 109–13; and H.R. 1618, Wounded Warrior Servicemembers Group Disability Insurance Act of 2005, 1 p.m., 334 Cannon.

Committee on Ways and Means, June 16, Subcommittee on Health, hearing on Post-Acute Care, 1 p.m., 1100 Longworth.

Subcommittee on Social Security, to continue hearings on Protecting and Strengthening Social Security, 10 a.m., B–318 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Thursday, June 16

Senate Chamber

Program for Thursday: Senate will continue consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, June 16

House Chamber

Program for Thursday: Continue consideration of H.R. 2862, Science, Justice, State, and Commerce, and Related Agencies Appropriations Act for FY 2006. Begin consideration of H.R. 2863, Department of Defense Appropriations Act for FY 2006. Consideration of H.R. 2745, Henry J. Hyde United Nations Reform Act of 2005.

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