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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. ADERHOLT).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 27, 2005.

I hereby appoint the Honorable ROBERT B. ADERHOLT to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. FRANK) for 5 minutes.

KARL ROVE

Mr. FRANK of Massachusetts. Mr. Speaker, last week the Deputy Chief of Staff of the President of the United States, Karl Rove, a man who began as a political operator, and was rewarded for his political successes by being named to a very high position in the administration—indeed, he is clearly as influential in shaping the policies of the Bush Administration as anyone other than the President himself—made a speech which was harsh, as is his right, but which was thoroughly dishonest, which again is his right under the first amendment to the Constitution, but ought not to be a right which high officials of the Federal Government avail themselves of so freely.

Mr. Rove lied. The speech consists of a number of conscious, deliberate lies, particular ones and general ones. Here is what he said in his effort to further the deep polarization of this country from which he believes his side will benefit if he is able to shape the way in which it is perceived. ''The most important difference between conservatives and liberals can be found in the area of national security. Conservatives saw the savagery of 9/11 in the attacks and prepared for war. Liberals saw the savagery of the 9/11 attacks and wanted to prepare indictments and offer therapy and understanding for our attackers.''

Mr. Speaker, that is a lie. It is a lie consisting of a number of lies. I am a liberal, Mr. Speaker. And along with many, many other liberals in this Chamber, my response to the savage murders of Americans on 9/11 has no resemblance to the political dishonesty that Karl Rove put forward.

I voted for war in Afghanistan. No one who serves here votes for war easily. No one who has the responsibility of defending the country can be cavalier about sending the young men and women of our country off to battle, to kill and be killed. But the vote to go to war in Afghanistan, to authorize the President, in effect, to go to war, to take whatever measures were necessary, and we knew when we did that that we were talking about going after the regime in Afghanistan which was sheltering that murderer, Osama bin Laden, that vote was virtually unanimous. There was one ''no'' vote here. There were no ''no'' votes in the other body.

There are a lot of liberals here, Mr. Speaker. And virtually unanimously we voted to go to war in Afghanistan. Yet Mr. Rove would lie to the American people and characterize that decision to go to war in defense of the country as indictments and therapy and understanding.

Shortly after that, on the Judiciary Committee on which I then served, we spent a couple of weeks dealing with what should be done to increase the law enforcement powers of this country. And we voted out a bill by a unanimous vote of 36 to 0. There are a number of liberals on that committee: Myself, the gentlewoman from California (Ms. WATERS), the gentleman from Virginia (Mr. SCOTT), the most determined defender of civil liberties I have ever served with, the gentleman from North Carolina (Mr. WATT), the chairman on our side, the ranking member, the gentleman from Michigan (Mr. CONYERS), the gentlemen from New York (Mr. NADLER).

Mr. Speaker, there are a number of Members deeply committed to liberalism. And we voted unanimously for a bill that enhanced law enforcement powers. It was not therapy. It was not understanding. It was enhanced law enforcement powers. Now, it is true that many of us subsequently voted against a very different bill that came to the floor.

But the version we reported out of our committee was the one of which the chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), boasted a while ago about his bipartisanship, because it provided significantly enhanced law enforcement powers.

Sadly the Republican leadership then decided to kill that bill, and with no debate, no chance to read it, substitute a very different bill that many of us opposed on procedural as well as substantive grounds.

But the fact is that the liberals on the Judiciary Committee unanimously supported increased law enforcement powers. So the notion that we were offering only therapy, that lie, is of

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course refuted by the fact that we voted go to war. We voted for enhanced law enforcement powers.

But then comes the biggest lie of all. What Mr. Rove appears to be trying to do is to perpetuate one of the most damaging acts of dishonesty we have seen from a President of the United States, the argument that part of the reason for invading Iraq was to defend ourselves against 9/11. That is, of course, what is implicit in Mr. Rove's speech. He would put together the attack of 9/11, and what we did in Iraq.

But, the fact is now very clear, the Iraqi regime, despicable as it was, was not involved in the murders of 9/11. The war in Iraq was not based on an effort to deal with 9/11. That was the war in Afghanistan, which we supported.

So what you have from Mr. Rove, I would say in conclusion, Mr. Speaker, is a couple of specific lies in pursuit of a very big one, a big one that tries to get America to forget how dishonestly this administration argued for the war in Iraq.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 38 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RADANOVICH) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, the Book of Proverbs tells us of Your care and concern for leaders: ''Discretion will watch over you. Understanding will guard you.''

Lord, without discretion, power and position may be wasted and personal virtues produce nothing.

As a special aspect of prudence, discretion enlightens a person to one's true motives in acting and inspires multiple means to achieve one's goal.

So fill Members of the House of Representatives with discretion this week.

May they be discreet in what they say and discreet in what they do. Since they have such an impact on so many people, they need to be mindful that indiscreet thoughts boomerang their sting when they come to light in word or deed.

In Your sight, O Lord, discretion is the better part of valor now and always.

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 Massachusetts (Mr. FRANK) come forward and lead the House in the Pledge of Allegiance.

Mr. FRANK of Massachusetts 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.

PATRIOTIC SPIRIT

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

Ms. FOXX. Mr. Speaker, it was my great pleasure this weekend to attend a wonderful patriotic program at Calvary Baptist Church in Winston-Salem entitled, ''Our Flag Was Still There.'' Interspersed with music and narration were reminders of times our country has been challenged and brave Americans have risen to the challenge.

As we approach the Fourth of July and all the celebrations attendant to it, it was gratifying to see a major church in our area doing its part to remind us of our heritage and inspire people to pray for our country. I quote Pastor Al Gilbert: ''The flag is the symbol that has much standing behind it. Today there are thousands of men and women wearing this flag on their sleeve and standing in harm's way. We must stand behind them as they stand for what is behind the flag. We remember those who made this a great Nation and we invite you to join us in praying for the needs of our country today.''

Associate Pastor Larry White: ''You are exercising your right to celebrate and worship freely in our great country. In light of the threat to the safety and peace our country has faced in recent years and our current world condition, we especially want to honor the men and women who sacrifice that we may be sustained. We salute you and your commitment to our country.''

I am grateful to all of the folks at Calvary, and all the other churches in our country that will have similar programs this weekend, for their patriotic spirit and their prayers.

EXTENDING CONDOLENCES TO THE FAMILY OF OSCAR BROWN, JR.

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

Mr. DAVIS of Illinois. Mr. Speaker, I come to the floor today to extend condolences to the family of a dear friend of mine and a friend of all people who love culture, art, music, literature.

Oscar Brown, Jr., died a few days ago, and of course, Oscar was a noted entertainer who always stayed close to his roots. Some of his great pieces were things like Mr. Kicks and, of course, his great song about the snake.

I simply say to his wife Jean Pace, to their children, especially his daughter Maggie who is a great entertainer in her own right, that we appreciated having the opportunity to know and benefit from Oscar's great works and wish you all much happiness as you continue to live out his legacy.

UNOCAL

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

Mr. NEY. Mr. Speaker, I rise today to request that the Bush administration review, under the Committee on Foreign Investment in the United States, the Chinese National Offshore Oil Corporation's bid to purchase Unocal.

Mr. Speaker, at a time of rising prices on global oil supplies, ready access to energy resources is vital to our economic security. It is imperative that the United States protect its access to these energy resources in order to protect our economy and our national security.

This committee, chaired by Treasury Secretary Snow, may block this foreign acquisition of an American corporation if it finds that there is evidence that the Chinese National Offshore Oil Corporation might take action that threatens our national security.

Such a review is not unprecedented. Mr. Speaker, in 2003, the committee reviewed a bid by Hong Kong-based Hutchinson Whampoa to purchase Global Crossing, and earlier this year the committee reviewed the sale of IBM's personal computer business to the Chinese firm, the Lenovo Group.

Should the committee determine that this acquisition threatens the national security of the United States, it could ultimately issue a suspension or a denial.

Whether the Chinese National Offshore Oil Corporation's actions, through the takeover of Unocal, will threaten our national security is not yet known; however, they justify a thorough review.

CONGRATULATING THE UNIVERSITY OF TEXAS LONGHORNS ON WINNING THE 2005 COLLEGE WORLD SERIES

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

Mr. SMITH of Texas. Mr. Speaker, it is a privilege to congratulate the Nation's 2005 College World Series champions, the University of Texas Longhorns.

This is an amazing sixth national title for the Longhorns. It also represents a record 32nd trip to the College World Series.

The Longhorns' win caps off another impressive season of University of Texas baseball. The team had a combined 51–16 record in the regular season and the playoffs, setting up another opportunity to compete for the national championship.

Under the guidance of Coach Augie Garrido, the Longhorns went undefeated in their five games of the series, pulling off a 6–2 victory over the Florida Gators in the final match-up on Sunday.

Credit for this outstanding victory is due to the entire Longhorns' baseball team, coaching staff, and the athletic department at the University of Texas.

Special recognition for the win is also owed to the most outstanding player of the series, third baseman David Maroul. His six hits and six runs were a major factor in the Longhorns' championship win.

Mr. Speaker, congratulations go to Coach Garrido and all the Longhorn players on their great victory.

GUANTANAMO PROTECTS AMERICAN FAMILIES

(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, on Saturday, I was grateful to join a 16 member delegation led by the gentleman from California (Mr. HUNTER), the Committee on Armed Services chairman, to view the detention facilities at Guantanamo Bay, Cuba.

In the extensive briefings by Brigadier General Jay Hood with representatives of JAG, Naval medicine, the FBI, and interrogators, I am convinced we have patriotic professionals conducting a humane mission to protect American families in the war on terrorism. The detainees' meal was as good as any I had in my 31 years of Army Guard service, and I can see why the prisoners this year gained 5 pounds over last year.

I urge all of my colleagues to visit the base to learn firsthand of the hardcore killers who are detained as interrogation proceeds to secure intelligence on terrorist cells. Not a single life has been lost at Guantanamo, but thousands of lives have been saved in the Middle East, Europe and America because of information which enables terrorists to be arrested before they murder at random.

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

GITMO

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

Mrs. BLACKBURN. Mr. Speaker, I too just returned from a bipartisan delegation to Guantanamo Bay, Cuba in order to review the procedures that are used in handling and questioning the enemy combatants we have detained there.

After hearing months of criticism from the left and hearing our military men and women compared to Nazis and Guantanamo described as a gulag, I was glad for the opportunity to see the facility myself.

Do my colleagues know what I found? I found Guantanamo to be a well-run, secure facility that is essential in our fight in protecting America from terrorism.

For weeks and months, we have been told that the place was violating virtually every standard of decency in the free world. Well, these detainees do get 3 meals a day. They are allowed to worship. They are receiving health care.

I hope that the Democrats who know that to be true, who were with us, who viewed all the work at Guantanamo, will take a stand and tell the truth about Guantanamo and the wonderful men and women in our military who are serving there, working to keep America safe.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

RECOGNIZING NATIONAL HOMEOWNERSHIP MONTH AND THE IMPORTANCE OF HOMEOWNERSHIP IN THE UNITED STATES

Mr. NEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 312) recognizing National Homeownership Month and the importance of homeownership in the United States.

The Clerk read as follows:

H. RES. 312

Whereas the President of the United States has issued a proclamation designating the month of June 2005 as National Homeownership Month;

Whereas the national homeownership rate in the United States has reached a record high of 69.1 percent and more than half of all minority families are homeowners;

Whereas the people of the United States are one of the best-housed populations in the world;

Whereas owning a home is a fundamental part of the American dream and is the largest personal investment many families will ever make;

Whereas homeownership provides economic security for homeowners by aiding them in building wealth over time and strengthens communities through a greater stake among homeowners in local schools, civic organizations, and churches;

Whereas improving homeownership opportunities requires the commitment and cooperation of the private, public, and nonprofit sectors, including the Federal Government and State and local governments; and

Whereas the current laws of the United States, such as the American Dream Downpayment Act, encourage homeownership and should continue to do so in the future: Now, therefore, be it

Resolved, That the House of Representatives—

(1) fully supports the goals and ideals of National Homeownership Month; and

(2) recognizes the importance of homeownership in building strong communities and families.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. NEY) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

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

Mr. Speaker, I rise today in support of H. Res. 312 which recognizes National Homeownership Month and the importance of homeownership in the United States. It is offered by the gentleman from California (Mr. GARY G. MILLER), my colleague and friend, who could not be here this moment to carry it. He has done a lot of great work on it.

It has very good sponsors, also the gentleman from Ohio (Chairman OXLEY); the gentleman from Massachusetts (Mr. FRANK), our ranking member; of course myself and the gentlewoman from California (Ms. WATERS); the gentlewoman from Florida (Ms. HARRIS) and other supporters. This resolution is a testament to the benefits of a strong and robust housing market in this country.

A home is more than just the symbol of the American dream. It is the backbone of our American way of life.

Over the past 3 years, the housing market has driven the national economy as Americans bought and refinanced homes in record numbers. Many regions were spared the worst of the recent recession due to the strength of some local housing markets.

Today, the housing sector directly accounts for about 14 percent of the country's total gross domestic product. Building a home involves multiple segments of our economy, including builders, bankers, mortgage lenders, realtors and numerous other people that are involved in this whole process.

June is National Homeownership Month, and so many of our partners celebrate this because in America, every citizen, regardless of race, creed, color or place of birth, has the opportunity and should have the opportunity to own a home of their own.

Homeownership creates community stakeholders who tend to be active in charities, churches, and neighborhood activities. Homeownership inspires civic responsibility, and homeowners are more likely to vote and get involved with local issues. Families owning a home offer children a stable living environment, and in many cases it influences their personal development

in many positive, measurable ways, at home and also at school.

Homeownership's potential to create wealth is impressive, too. For the vast majority of families, the purchase of a home represents the path to prosperity. A home is the largest purchase most Americans will ever make in their lifetime. It is a tangible asset that builds equity, good credit, borrowing power and overall wealth.

Today, nearly 70 percent of American families own their own homes. And minority homeownership rates, although they have reached an all-time high of almost 50 percent, that is not good. We have to work on that and give it special effort to get those homeownership rates higher.

□ 1415

While many gains have been made, lagging minority homeownership rates are a serious concern to this House. Minority households are expected to account for two-thirds of household growth over the coming decade.

Improving the ability of such households to make the transition to homeownership will be an important test of the Nation's capacity to create economic opportunity for minorities and immigrants and to build strong, stable communities.

Last Congress, the Subcommittee on Housing and Community Opportunity, I am pleased to report, assisted in the successful enactment of 17 housing-related bills. Through bipartisan cooperation with our ranking member, the gentlewoman from California (Ms. WATERS); the gentleman from Ohio (Mr. OXLEY); and the gentleman from Massachusetts (Mr. FRANK), who worked on a good piece of legislation, we were able to enact these pieces of legislation today to make existing housing programs work better.

Our work continues, however, in the 109th Congress. The Subcommittee on Housing and Community Opportunity will hold a hearing this Thursday on the recently introduced Zero Downpayment Pilot Program Act of 2005. This was introduced by the gentleman from Ohio (Mr. TIBERI) and the gentleman from Georgia (Mr. SCOTT). This legislation, which was first introduced last Congress, would provide a program to eliminate the downpayment requirement for certain families and individuals who buy homes with FHA-insured mortgages. Changes have been made from last year's bill that would make it a pilot program and limits the program to 50,000 loans.

It is also my hope to look into the recent legislation introduced by the gentleman from Pennsylvania (Mr. FITZPATRICK), which deals with the issue of reverse mortgages. More specifically, it would remove completely the statutory limitation, or ceiling, and the aggregate number of mortgages that may be insured.

In the area of rural housing, the gentleman from Kentucky (Mr. DAVIS), who will be speaking later on the floor, has taken the lead by looking into creative ways to reform the Rural Housing Service.

On March 1, I introduced, along with the gentleman from Pennsylvania (Mr. KANJORSKI) and many others, the bipartisan Responsible Lending Act, which aims to stop abusive lending practices while allowing the mortgage market to continue to offer affordable credit. I have taken a great deal of time to investigate and find solutions to problems of abusive and predatory lending practices, especially in the subprime market. As the legislative process moves forward, we will continue to work to improve and refine this bill, I would note.

While homeownership is a desired goal for many Americans, I would be remiss if I did not mention that today we know there are people who are not ready to own their own home, and we cannot forget about that. So it is therefore prudent that we continue to pursue alternatives to make sure that affordable rental housing is available. I am working with members of the committee to craft solutions that will address the effectiveness and efficiency of the government's role in the administration of the section 8 program.

We had some roundtables, which the gentleman from Massachusetts (Mr. FRANK), the gentlewoman from California (Ms. WATERS), the gentlewoman from New York (Ms. VELÁZQUEZ), the gentleman from Alabama (Mr. BACHUS) and others participated in; and I think those are good, effective ways to bring people to the table so they can have an energetic give-and-take about section 8 and where we are.

I recognize there are key questions regarding funding of the Housing Choice Voucher Program. It is my hope to focus strictly on proposals to reform the program to make it a viable alternative in the future. The longer we wait to address the increasing costs of the section 8 program, the greater the risk there is to the section 8 program as well as other programs in HUD that will most surely suffer with some additional problems.

I would also note in this process that I think we have to come to an agreement in terms of what we are going to do with section 8; but I believe the whole community in the United States, housing authorities and others, needs to catch their breath. We cannot have one proposal one year that will completely alter it and the next year we see the same thing. So that is why I think the roundtables are productive ways to look at changes we can agree to.

We have much to achieve together for the American people, and our best hope for being successful is to work in close concert with each other, guided by the same high standards and principles and motivated by the same goals.

Those are a few things, Mr. Speaker, that have gone on here in the House as we mention H. Res. 312 for recognizing National Homeownership Month. I appreciate my colleagues who do so much to try to help people in homeownership, and I support this resolution.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

I am very pleased to join in support of this resolution. Indeed, I was a prime cosponsor. The main sponsor is our colleague, the gentleman from California (Mr. GARY G. MILLER), who comes to Congress with a distinguished record himself in building homes.

This is a very important resolution, particularly at this time, because we have, I think, an excessive degree of concern right now about homeownership and its role in the economy.

Obviously, speculation is never a good thing. But those who argue that housing prices are now at the point of a bubble seem to be missing a very important point. Unlike previous examples, where substantial excessive inflation of prices later caused some problems, we are talking here about an entity, homeownership, homes, where there is not the degree of leverage that we have seen elsewhere.

This is not the dot-com situation. We had problems with people having invested in business plans for which there was no reality and people building fiber-optic cable for which there was no need. Homes that are occupied may see an ebb and flow in the price at a certain percentage level, but you will not see the collapse that you see when people talk about a bubble.

So those of us on our committee in particular will continue to push for homeownership. And I very much agree with the gentleman from Ohio who has chaired the Subcommittee on Housing and Community Opportunity of the Committee on Financial Services about the importance of this and about the various ways in which we do that.

Obviously, the market will take care of a large number of people, but it will not take care of everybody. And if we are going to expand homeownership, there will have to be a sensible set of public policies, such as reducing the downpayment in the FHA, such as protecting people from lending practices that may at first seem to benefit them but then victimize them. And I hope our committee will pass legislation that will protect people against that.

We also have pending now, and it came out of our committee, legislation dealing with those government-sponsored enterprises whose function is to promote homeownership and homes in general, the Federal Home Loan Banks, Freddie Mac and Fannie Mae. And I hope that legislation along the lines that came out of our committee, which enhances the regulatory regime but does not intrude unduly on their ability to function, will be maintained.

I also want to express my appreciation to the gentleman from Ohio for having noted a very important point

that sometimes gets overlooked. Homeownership is an important part of our policy, but it is not the entire housing policy of the Federal Government; nor is it the entire housing need of the Nation. Some people will never own. There will be people who choose not to own; there will be people who for their economic circumstances will not be able to own. And there is no conflict between promoting homeownership and recognizing that decent, affordable rental housing will also be very important indefinitely for tens and tens of millions of Americans.

I welcome the initiative that the gentleman from Ohio talked about with regard to improving our public policies so that we are able to expand the stock of affordable rental housing and do it in a way that protects both the renters themselves and the taxpayers.

I just want to add, as I bring these remarks to a close, Mr. Speaker, and I enjoyed working with the gentleman from California (Mr. GARY G. MILLER), that I want to pay tribute to a couple of organizations that have done a good deal to help us with this. I found the National Association of Home Builders has been a very constructive participant in our efforts to promote homeownership. The National Association of Realtors has also played a very useful role in helping us shape public policies that expand homeownership.

There are also a variety of advocacy groups that work with us so that we can make homeownership available to people who might not on their own in a market situation be able to afford it, while those groups, of course, at the same time, work with us on the need for affordable housing.

So as an example of what we are trying to do for an overall comprehensive housing policy, I very much support this. And let us be clear: if a family is inadequately housed, if they either have housing that is not adequate or are paying far too much of their income to get adequate housing, then a degree of social disorganization can result which causes problems elsewhere.

So maintaining a comprehensive set of policies that expand housing opportunities for people at various levels of the income scale is a very important part of our responsibility, and I welcome the chance to support this resolution as an example of one important piece of that.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. NEY. Mr. Speaker, I yield myself such time as I may consume in closing to once again thank the gentleman from Massachusetts (Mr. FRANK) and also reiterate that the gentleman from California (Mr. GARY G. MILLER) has been very active and has been a great member on the Subcommittee on Housing and Community Opportunity. Along with a lot of our other colleagues, he has done a wonderful job on the committee, and it has been a pleasure having him on the committee. We also appreciate this resolution.

Mr. GARY G. MILLER of California. Mr. Speaker, I rise today to celebrate homeownership in America.

Recently, President Bush designated June as National Homeownership Month as he has done for the past three years. To complement this designation, H. Res. 312, provides congressional recognition of National Homeownership Month and the importance of homeownership in the United States.

This resolution expresses the sense of Congress that the House of Representatives: (1) Fully supports the goals and ideals of National Homeownership Month; and (2) recognizes the importance of homeownership in building strong communities and families.

IMPORTANCE OF HOMEOWNERSHIP IN AMERICA

For generations, the goal of owning a home has been the bedrock of our economy and a fundamental part of the American Dream.

Over the last three years, as we have faced the challenges of war and economic uncertainty, the housing markets have helped to keep our economy strong. Nationally, housing generates more than 22 percent of the Gross Domestic Product and accounts for nearly 40 cents of every dollar spent.

America's housing markets are the envy of the world. We enjoy the lowest interest rates and the highest homeownership rates of any developed nation. In fact, the national homeownership rate in the United States has reached a record high of 69.1 percent and more than half of all minority families are homeowners. Over 73.4 million Americans are now homeowners, with many more achieving this goal every day.

Homeownership is the single largest creator of wealth for Americans. It is the largest investment most families will ever make and a key to promoting long-term economic stability. For these reasons, we must continue to promote policies that ensure more Americans may achieve the goal of homeownership.

HOMEOWNERSHIP BUILDS STRONGER COMMUNITIES

Aside from helping millions of Americans achieve their dreams, homeownership also helps to build neighborhoods and strengthen communities.

For families across this Nation, a home is not just four walls and a roof. It is a refuge from the perils of the outside world, a break after a hard day's work, and a foundation on which to raise a family. A home is a place for children to learn, play, and grow, as well as a place where the elderly may retire with a lifetime of memories.

Owning a home also provides homeowners a tangible stake in their cities and towns. Families who own homes have a vital stake in their communities, a stronger interest in the safekeeping of their neighborhoods, and a deeper commitment to the quality of their schools and libraries. Each home is a critical piece in a successful neighborhood, allowing families to enjoy community events together and share in the lives of their neighbors and friends.

As millions of American families have demonstrated, increased homeownership helps to build better communities, and better communities help to build a better America.

CONGRESS'S ROLE IN PROMOTING HOMEOWNERSHIP

As responsible legislators, we need to ensure that government helps, rather than impedes, homeownership in America. When I came to Congress, I made it my top priority to highlight Federal policies that have hindered the availability of housing in this country and to find ways for government to positively impact homeownership in America.

While we have done much to help Americans become homeowners, we must do more. We must remove the hurdles and needless regulations that keep homeownership out of the reach of some American families. We must also promote fair lending and fair housing regulations to increase housing opportunities for all Americans. With June designated as National Homeownership Month, there is no better time to address these issues.

Now more than ever, Congress must cultivate an environment in which more Americans may turn the dream of homeownership into reality.

SUPPORT NATIONAL HOMEOWNERSHIP MONTH AND H. RES. 312

I am very pleased to see the President has made it a priority to promote affordable housing and homeownership.

His Administration has taken a leading role in finding new and innovative ways to expand homeownership, particularly among minorities and families in low-income areas. I commend the hard work of Secretary Jackson and his team at HUD for their work in developing programs to increase affordable housing and encourage homeownership.

As a vital part of this goal, National Homeownership Month is a reminder of the importance of housing issues in America. This bipartisan resolution, H. Res. 312, recognizes the need for National Homeownership Month and the overall importance of homeownership in America. I urge my colleagues to join me in supporting H. Res. 312 to reinforce our commitment to housing opportunities and to help guarantee the dream of homeownership for more American families.

Mr. NEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RADANOVICH). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and agree to the resolution, H. Res. 312.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation, House Resolution 312, and to insert extraneous material into the RECORD.

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

There was no objection.

LITTLE ROCK CENTRAL HIGH SCHOOL DESEGREGATION 50TH ANNIVERSARY COMMEMORATIVE COIN ACT

Mr. DAVIS of Kentucky. Mr. Speaker, I move to suspend the rules and

pass the bill (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, and for other purposes, as amended.

The Clerk read as follows:

H.R. 358

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 ''Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) September 2007, marks the 50th anniversary of the desegregation of Little Rock Central High School in Little Rock, Arkansas.

(2) In 1957, Little Rock Central High was the site of the first major national test for the implementation of the historic decision of the United States Supreme Court in *Brown, et al. v. Board of Education of Topeka, et al.*, 347 U.S. 483 (1954).

(3) The courage of the ''Little Rock Nine'' (Ernest Green, Elizabeth Eckford, Melba Pattillo, Jefferson Thomas, Carlotta Walls, Terrence Roberts, Gloria Ray, Thelma Mothershed, and Minnijean Brown) who stood in the face of violence, was influential to the Civil Rights movement and changed American history by providing an example on which to build greater equality.

(4) The desegregation of Little Rock Central High by the 9 African American students was recognized by Dr. Martin Luther King, Jr. as such a significant event in the struggle for civil rights that in May 1958, he attended the graduation of the first African American from Little Rock Central High School.

(5) A commemorative coin will bring national and international attention to the lasting legacy of this important event.

SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—The Secretary of the Treasury (hereinafter in this Act referred to as the ''Secretary'') shall mint and issue not more than 500,000 $1 coins each of which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—The design of the coins minted under this Act shall be emblematic of the desegregation of the Little Rock Central High School and its contribution to civil rights in America.

(b) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(1) a designation of the value of the coin;

(2) an inscription of the year ''2007''; and

(3) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(c) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Commission of Fine Arts; and

(2) reviewed by the Citizens Coinage Advisory Committee established under section 5135 of title 31, United States Code.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) COMMENCEMENT OF ISSUANCE.—The Secretary may issue coins minted under this Act beginning January 1, 2007, except that the Secretary may initiate sales of such coins, without issuance, before such date.

(c) TERMINATION OF MINTING AUTHORITY.—No coins shall be minted under this Act after December 31, 2007.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—Notwithstanding any other provision of law, the coins issued under this Act shall be sold by the Secretary at a price equal to the sum of the face value of the coins, the surcharge required under section 7(a) for the coins, and the cost of designing and issuing such coins (including labor, materials, dies, use of machinery, overhead expenses, and marketing).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS AT A DISCOUNT.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) SURCHARGE REQUIRED.—All sales shall include a surcharge of $10 per coin.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges which are received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Secretary of the Interior for the protection, preservation, and interpretation of resources and stories associated with Little Rock Central High School National Historic Site, including the following:

(1) Site improvements at Little Rock Central High School National Historic Site.

(2) Development of interpretive and education programs and historic preservation projects.

(3) Establishment of cooperative agreements to preserve or restore the historic character of the Park Street and Daisy L. Gatson Bates Drive corridors adjacent to the site.

(c) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. DAVIS) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. DAVIS).

GENERAL LEAVE

Mr. DAVIS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation, H.R. 358, and include extraneous material thereon.

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

There was no objection.

Mr. DAVIS of Kentucky. Mr. Speaker, I yield myself such time as I may consume, and I rise today in support of the Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act sponsored by the gentleman from Arkansas (Mr. SNYDER).

Mr. Speaker, it is easy in 2005 to lose sight of how far we have come in fewer than 50 years of desegregation. No one will deny, and most also will admit, that we have much work to do. But as we approach 50 years of separation from the mid- to late 1950s, when the real work of desegregation was done, it is worthwhile to pause and reflect. The bill of the gentleman from Arkansas (Mr. SNYDER) gives us a perfect opportunity to do just that.

A year or so ago, Congress approved awarding a Congressional Gold Medal for the principals of the landmark Brown v. Board of Education lawsuit that heralded the desegregation in the Nation's schools. Today, we will act on legislation to authorize a commemorative coin, noting the first major test of the Supreme Court's ruling in Brown.

The nine African American students who, in the face of violence, were the first to desegregate Little Rock's Central High School, themselves earlier awarded Congressional Gold Medals, took a truly courageous step, later recognized by the Reverend Dr. Martin Luther King, Jr. when he attended the first graduation of African American students from the school a year later.

Mr. Speaker, this legislation authorizes the striking in 2007 of as many as 500,000 silver $1 commemorative coins, at no cost to the taxpayers, with surcharges on the sale of the coins dedicated to site improvements at the Little Rock Central High School National Historic Site, to development of interpretive and educational programs at the site, to historic preservation projects there, and to the establishment of cooperative agreements to preserve or restore the historic character of the Park Street and Daisy L. Gatson Bates Drive corridors adjacent to the site.

Mr. Speaker, this legislation has 321 cosponsors, amply demonstrating its broad bipartisan appeal. I urge immediate adoption.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

I was a high school senior when the extraordinarily brave African American students entered Little Rock High School, and I very vividly remember the combination of emotions I felt: shame, that the Nation of which I was so proud was allowing the mistreatment of these people who simply sought to get an education equal to

that of their fellow students; admiration, beyond admiration for their courage; frustration at a Federal Government which was hesitant at first in its response; and anger at those who would betray the spirit of America by racially motivated assaults on these brave young people.

This ended happily, but not nearly soon enough. It was an extraordinarily important event in this country, and it reminds us that you cannot correct evil. And we are talking here, in my judgment, about a great social evil that plagued our country. You cannot confront it halfway. You cannot confront it with the hope that if you just close your eyes and wish, things will get better. You have to deal directly with it.

□ 1430

We are a better Nation by far for the events of these past years. And those at Little Rock, these young people, and the adults who guided them and protected them in the Little Rock community, deserve the continuing deep gratitude of this country for what they did.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. SNYDER) who represents Little Rock and has been the main advocate for this legislation.

Mr. SNYDER. Mr. Speaker, I thank the gentleman for yielding me this time, and thank the gentleman from Kentucky (Mr. DAVIS) and the gentleman from Ohio (Mr. OXLEY) and the committee staff on both sides of the aisle that worked on this bill.

Last week at American University in Cairo, Egypt, Secretary of State Condoleezza Rice made some remarks. Part of what she said, ''When we talk about democracy, though, we are referring to governments that protect certain basic rights for all their citizens. Among these, the right to speak freely, the right to associate, the right to worship as you wish, the freedom to educate your children, boys and girls, and freedom from the midnight knock of the secret police.''

Secretary Rice continues, ''Securing these rights is the hope of every citizen, and the duty of every government. In my own country, the progress of democracy has been long and difficult. And given our history, the United States has no cause for false pride, and we have every reason for humility. After all, America was founded by individuals who knew that all human beings and the governments they create are inherently imperfect, and the United States was born half free and half slave. It was only in my lifetime that my government guaranteed the right to vote for all its people.

''Nevertheless, the principles enshrined in our Constitution enable citizens of conviction to move America closer every day to the ideal of democracy.'' That was Secretary of State Condoleezza Rice in Cairo last week.

Mr. Speaker, nowhere was the march toward the ideal of democracy more in evidence than in the fall of 1957 in Little Rock, Arkansas. In 1957, Little Rock Central High School was the site of the first major national test for the implementation of the historic decision of the United States Supreme Court in Brown v. Board of Education of Topeka. President Eisenhower issued an Executive order directing marshals and troops under Federal authority to aid in the compliance of Federal law in Little Rock, Arkansas.

The courage of the ''Little Rock Nine,'' Ernest Green, Elizabeth Eckford, Melba Pattillo, Jefferson Thomas, Carlotta Walls, Terrence Roberts, Gloria Ray, Thelma Mothershed, and Minnijean Brown, who stood in the face of violence, was influential to the civil rights movement and changed American history by providing an example on which to build greater equality.

The desegregation of Little Rock by the nine African American students was recognized by Dr. Martin Luther King as such a significant event in the struggle for civil rights that in May 1958 he attended the graduation of the first African American from Little Rock Central High School, Ernest Green.

The 1957 crisis in Little Rock, brought about by the desegregation of Little Rock Central High School, was a huge part of the march towards freedom and opportunity in America. A 2007 commemorative coin issued by the U.S. Mint to honor the 50th anniversary of this important event will bring national and international attention to its lasting legacy.

As indicated by the gentleman from Kentucky (Mr. DAVIS) the money raised from the sale of these coins pays for the cost, there is no cost to the taxpayers, and any moneys beyond the cost may be used to support the national historic site.

We all are aware of the difficulties that some of our national parks now have in meeting their basic infrastructure needs, and the intent of this legislation is to provide supplementary funds to the care and maintenance of the Central Little Rock National Historic Site.

Mr. Speaker, I recommend an aye vote on the legislation.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. FRANK) for yielding me this time.

I also want to commend the gentleman from Arkansas (Mr. SYNDER) for his introduction of this legislation and the committee for moving it expeditiously to the floor so it, in fact, can be passed.

Mr. Speaker, I rise with great pride to honor the legacy of the courageous Little Rock Nine. Dr. Martin Luther King once said, ''The sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality.''

One September morning in 1957, on the eve of the new school year, the cool winds of change brushed across the city of Little Rock, Arkansas. Nine young men and women decided they would not settle for discontent.

After the landmark case, Brown v. Board of Education, which ruled in favor of integrated schools, these nine young men and women attended Little Rock Central High School. Despite the taunts, violence and venomous hatred endured by these youth during their tenure at Central High, they pressed on and pursued a dream for the millions of African Americans that cheered them on across the country.

It is a very meaningful time for me because I too lived at that time in Arkansas. I was born in a little city in the southeastern part of the State. In 1957, and I guess the gentleman from Massachusetts (Mr. FRANK) and I are kind of in the same age group; I, too, was a college freshman on the campus of the University of Arkansas at Pine Bluff, which was then known as Arkansas A&M College about 45 miles from Little Rock. This was our daily news, our daily activity, our daily occurrences.

I have been fortunate to know many of the individuals who were intimately involved, such as Ernie Green. Minnijean Brown and I spent part of a weekend together down at Southern Illinois University last year. Melba Pattillo's mother was a teacher at the school where I did student teaching, and I have had a chance to know them. Wallie Branton, who was the attorney intimately involved with the NAACP, I knew him and his family; and Daisy Bates, who was the leader of the NAACP in Arkansas at that time, are all people with whom I have had an opportunity to interact and to get to know. They were indeed a part of me and I am indeed a part of them. So I take great personal pride in knowing that there will be recognition of this historic struggle and the tremendous courage displayed.

Again, I want to commend the gentleman from Arkansas (Mr. SYNDER) for his legislation which brings into work this commendation which puts a footnote in another chapter of the historic struggle for equality and justice in America.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

First, I want to thank the gentleman from Illinois (Mr. DAVIS) for those remarks. He noted he was a freshman at college during this time. As a senior in high school, I certainly want to pay deference to my elders and thank the gentleman for his remarks.

I also note for reasons that be of no interest to anybody outside this Chamber, a set of decisions, procedures, and rules that we adopted earlier made it harder to bring this resolution to the

floor than Members might have thought. Had we simply been considering the merits of this resolution, the commemoration for one of the great blows for freedom and against bigotry in America, it would have been easy; but there were a lot of complicating factors. Members should know it was the diligence, the persistence, occasionally annoying, of the gentleman from Arkansas (Mr. SYNDER) that got this bill to the floor. I am happy that we are passing this today commemorating this great event, and I am also happy that it is not a subject I will have to discuss with the gentleman from Arkansas for the next few months, it having occupied a great deal of my time previously. He deserves a great deal of credit for his diligence.

I would just add, as the gentleman from Illinois (Mr. DAVIS) and I remember as contemporaries, I want to say a word about social change. The people who integrated Central High School and the people who supported them, the leaders of the NAACP and the black community in Little Rock and in Arkansas, those who pressed a somewhat hesitant administration in Washington, DC to fully support them, they were not the moderates and centrists of their day. Some thought they were pushing too hard for their rights. Some thought they were being too obtrusive. We are very grateful that they were. I hope people will study this event, and the history that will come in part from this bill, that will be financed in part from this bill, and we hope from additional appropriations, will be something people will pay attention to so they will understand both the depths of the problem that America confronted and the kind of moral and mental and physical courage that it took to dismantle it.

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

Mr. DAVIS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I include for the RECORD an exchange of correspondence between the Committee on Financial Services and the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, June 24, 2005.

Hon. WILLIAM M. THOMAS,
Chairman, Committee on Ways and Means, House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN THOMAS: I am writing concerning H.R. 358, the ''Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act,'' which will be scheduled for floor consideration in the near future.

I acknowledge your committee's jurisdictional interest in this bill and request your cooperation in moving the bill to the House floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include a copy of this letter and your response in the CONGRESSIONAL RECORD when this bill is considered by the House. Thank you again for your assistance.

Yours truly,

MICHAEL G. OXLEY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, June 24, 2005.

Hon. MICHAEL G. OXLEY,
Chairman, Committee on Financial Services, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN OXLEY: Thank you for your letter regarding H.R. 358, the ''Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act,'' which was reported to the House by the Committee on Financial Services on June 17, 2005.

As you noted, the Committee on Ways and Means maintains jurisdiction over matters that concern raising revenue. H.R. 358 contains a provision that establishes a surcharge for the sale of commemorative coins that are minted under the bill, and thus falls within the jurisdiction of the Committee on Ways and Means. However, in order to expedite this bill for floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this bill or similar legislation.

I appreciate and agree to your offer to include this exchange of letters on this matter in the CONGRESSIONAL RECORD during floor consideration.

Best regards,

BILL THOMAS,
Chairman.

Mr. OXLEY. Mr. Speaker, the events of the last few weeks, culminating in the conviction of an 80-year-old Klansman in the infamous killing of three civil rights workers during 1964's ''Freedom Summer,'' serve as a good reminder that this country has come a long distance in just a few short decades.

It is hard, from today's vantage point, to remember a time—a time when some of today's Members had not yet been born—when schools were segregated, when bathrooms were separate, when ''back of the bus'' was a place where some had to ride whether they liked it or not.

Of course, tolerance is a job that requires constant attention and improvement, but we should not lose sight of the good progress we have made. And so today, Mr. Speaker, consideration of legislation to commemorate the desegregation of Little Rock Central High School is timely, or perhaps even overdue. Regardless, it is worthwhile for us to think for a minute of the courage of nine African-American youngsters as they stood on the steps of that school. And it is important for us to think of the courage of the idealistic youngsters, white and black, who powered the civil rights movement throughout the 1950s and early 1960s.

The legislation we consider today will go a long way to preserving an historic symbol of that desegregation fight. Surcharges on the sale of as many as half a million commemorative silver dollars will pay for preservation programs, and education programs at the site of the first important test of the Supreme Court's landmark desegregation ruling in Brown v. Board of Education.

Mr. Speaker, as a testament to the importance of this legislation, it is supported broadly and on a bipartisan basis by 321 Members. I urge its immediate passage.

Ms. JACKSON–LEE of Texas. Mr. Speaker, I am pleased to be here today to be in support of the Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act. I would like to thank my colleague, Congressman VIC SNYDER, for introducing this important piece of legislation.

In 1957, Little Rock Central High School was the site of the first major national test for the implementation of the U.S. Supreme Court's Brown v. Board of Education of Topeka decision and became the international symbol of the end of racially segregated public schools.

The desegregation of Little Rock Central High by nine African American students was influential to the Civil Rights Movement, and recognized by Dr. Martin Luther King, Jr. as such a significant event in the struggle for civil rights that in May 1958, he attended the graduation of the first African American from Little Rock Central High School. Moreover, it changed American history by providing an example on which to build greater equality, and ultimately a better America.

H.R. 358, the Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act, will bring national and international attention to the lasting legacy of this important event by creating a commemorative coin for 2007, in recognition of the 50th anniversary of the desegregation of Little Rock Central High School. I am proud to be here today to support this bill and I urge my colleagues to do the same.

Mr. DAVIS of Kentucky. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RADANOVICH). The question is on the motion offered by the gentleman from Kentucky (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 358, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MILITARY PERSONNEL FINANCIAL SERVICES PROTECTION ACT

Mr. DAVIS of Kentucky. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 458) to prevent the sale of abusive insurance and investment products to military personnel, as amended.

The Clerk read as follows:

H.R. 458

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Military Personnel Financial Services Protection Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INSURANCE AND INVESTMENT PRODUCTS

Sec. 101. Congressional findings.

Sec. 102. Prohibition on future sales of periodic payment plans.
Sec. 103. Method of maintaining broker/dealer registration, disciplinary, and other data.
Sec. 104. Filing depositories for investment advisers.
Sec. 105. State insurance and securities jurisdiction on military installations.
Sec. 106. Required development of military personnel protection standards regarding insurance sales.
Sec. 107. Required disclosures regarding life insurance.
Sec. 108. Improving life insurance product standards.
Sec. 109. Required reporting of disciplined insurance producers.
Sec. 110. Reporting barred persons engaging in financial services activities.
Sec. 111. Sense of Congress.
Sec. 112. Definitions.

TITLE II—LENDING TO ARMED FORCES PERSONNEL

Sec. 201. Requirements applicable to certain loans to military servicemembers.

TITLE I—INSURANCE AND INVESTMENT PRODUCTS

SEC. 101. CONGRESSIONAL FINDINGS.

The Congress finds the following:

(1) Our military personnel perform great sacrifices in protecting our Nation in the War on Terror and promoting democracy abroad.

(2) Our brave men and women in uniform deserve to be offered first-rate financial products in order to provide for their families and to save and invest for retirement.

(3) Our military personnel are being offered high-cost securities and life insurance products by some financial services companies engaging in abusive and misleading sales practices.

(4) One securities product being offered to our service members, the contractual plan, has largely disappeared from the civilian market since the 1980s due to its excessive sales charges and the emergence of low-cost products. A 50-percent sales commission is typically assessed against the first year of contributions made under a contractual plan, even though the average commission on other securities products such as mutual funds is less than 6 percent on each sale.

(5) The excessive sales charge of the contractual plan makes it susceptible to abusive and misleading sales practices.

(6) Certain life insurance products being offered to our service members are being improperly marketed as investment products. These products provide very low death benefits for very high premiums that are front-loaded in the first few years, making them completely inappropriate for most military personnel.

(7) Regulation of these securities and life insurance products and their sale on military bases has been clearly inadequate and requires Congressional legislation to address.

SEC. 102. PROHIBITION ON FUTURE SALES OF PERIODIC PAYMENT PLANS.

(a) AMENDMENT.—Section 27 of the Investment Company Act of 1940 (15 U.S.C. 80a–27) is amended by adding at the end the following new subsection:

''(j) TERMINATION OF SALES.—

''(1) TERMINATION.—Effective 30 days after the date of enactment of the Military Personnel Financial Services Protection Act, it shall be unlawful, subject to subsection (i)—

''(A) for any registered investment company to issue any periodic payment plan certificate; or

''(B) for such company, or any depositor of or underwriter for any such company, or any other person, to sell such a certificate.

''(2) NO INVALIDATION OF EXISTING CERTIFICATES.—Paragraph (1) shall not be construed to alter, invalidate, or otherwise affect any rights or obligations, including rights of redemption, under any periodic payment plan certificate issued and sold before 30 days after such date of enactment.''.

(b) TECHNICAL AMENDMENT.—Section 27(i)(2)(B) of such Act is amended by striking ''section 26(e)'' each place it appears and inserting ''section 26(f)''.

(c) REPORT ON REFUNDS, SALES PRACTICES, AND REVENUES FROM PERIODIC PAYMENT PLANS.—Within 6 months after the date of enactment of this Act, the Securities and Exchange Commission shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, a report describing—

(1) any measures taken by a broker or dealer registered with the Securities and Exchange Commission pursuant to section 15(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(b)) to voluntarily refund payments made by military service members on any periodic payment plan certificate, and the amounts of such refunds;

(2) after such consultation with the Secretary of Defense as the Commission considers appropriate, the sales practices of such brokers or dealers on military installations over the past 5 years and any legislative or regulatory recommendations to improve such practices; and

(3) the revenues generated by such brokers or dealers in the sales of periodic payment plan certificates over the past 5 years and what products such brokers or dealers market to replace the revenue generated from the sales of periodic payment plan certificates prohibited under subsection (a) of this section.

SEC. 103. METHOD OF MAINTAINING BROKER/DEALER REGISTRATION, DISCIPLINARY, AND OTHER DATA.

Subsection (i) of section 15A of the Securities Exchange Act of 1934 (15 U.S.C. 78o–3(i)) is amended to read as follows:

''(i) OBLIGATION TO MAINTAIN REGISTRATION, DISCIPLINARY, AND OTHER DATA.—

''(1) MAINTENANCE OF SYSTEM TO RESPOND TO INQUIRIES.—A registered securities association shall—

''(A) establish and maintain a system for collecting and retaining registration information;

''(B) establish and maintain a toll-free telephone listing, and a readily accessible electronic or other process, to receive and promptly respond to inquiries regarding—

''(i) registration information on its members and their associated persons; and

''(ii) registration information on the members and their associated persons of any registered national securities exchange that uses the system described in subparagraph (A) for the registration of its members and their associated persons; and

''(C) adopt rules governing the process for making inquiries and the type, scope, and presentation of information to be provided in response to such inquiries in consultation with any registered national securities exchange providing information pursuant to subparagraph (B)(ii).

''(2) RECOVERY OF COSTS.—Such an association may charge persons making inquiries, other than individual investors, reasonable fees for responses to such inquiries.

''(3) PROCESS FOR DISPUTED INFORMATION.—Such an association shall adopt rules establishing an administrative process for disputing the accuracy of information provided in response to inquiries under this subsection in consultation with any registered national securities exchange providing information pursuant to paragraph (1)(B)(ii).

''(4) LIMITATION OF LIABILITY.—Such an association, or an exchange reporting information to such an association, shall not have any liability to any person for any actions taken or omitted in good faith under this subsection.

''(5) DEFINITION.—For purposes of this subsection, the term 'registration information' means the information reported in connection with the registration or licensing of brokers and dealers and their associated persons, including disciplinary actions, regulatory, judicial, and arbitration proceedings, and other information required by law, or exchange or association rule, and the source and status of such information.''.

SEC. 104. FILING DEPOSITORIES FOR INVESTMENT ADVISERS.

(a) AMENDMENT.—Section 204 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–4) is amended—

(1) by striking ''Every investment'' and inserting the following:

''(a) IN GENERAL.—Every investment''; and

(2) by adding at the end the following:

''(b) FILING DEPOSITORIES.—The Commission may, by rule, require an investment adviser—

''(1) to file with the Commission any fee, application, report, or notice required to be filed by this title or the rules issued under this title through any entity designated by the Commission for that purpose; and

''(2) to pay the reasonable costs associated with such filing and the establishment and maintenance of the systems required by subsection (c).

''(c) ACCESS TO DISCIPLINARY AND OTHER INFORMATION.—

''(1) MAINTENANCE OF SYSTEM TO RESPOND TO INQUIRIES.—The Commission shall require the entity designated by the Commission under subsection (b)(1) to establish and maintain a toll-free telephone listing, or a readily accessible electronic or other process, to receive and promptly respond to inquiries regarding information (including disciplinary actions, regulatory, judicial, and arbitration proceedings, and other information required by law or rule to be reported) involving investment advisers and persons associated with investment advisers. Such information shall include information on an investment adviser (and the persons associated with that adviser) whether the investment adviser is registered with the Commission under section 203 or regulated solely by a State as described in section 203A.

''(2) RECOVERY OF COSTS.—An entity designated by the Commission under subsection (b)(1) may charge persons making inquiries, other than individual investors, reasonable fees for responses to inquiries made under paragraph (1).

''(3) LIMITATION ON LIABILITY.—An entity designated by the Commission under subsection (b)(1) shall not have any liability to any person for any actions taken or omitted in good faith under this subsection.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 203A of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3a) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) Section 306 of the National Securities Markets Improvement Act of 1996 (15 U.S.C. 80b–10, note; Public Law 104–290; 110 Stat. 3439) is repealed.

SEC. 105. STATE INSURANCE AND SECURITIES JURISDICTION ON MILITARY INSTALLATIONS.

(a) CLARIFICATION OF JURISDICTION.—Any law, regulation, or order of a State with respect to regulating the business of insurance

or the offer or sale (or both) of securities shall apply to such activities conducted on Federal land or facilities in the United States and abroad, including military installations, except to the extent that such law, regulation, or order—

(1) directly conflicts with any applicable Federal law, regulation, or authorized directive; or

(2) would not apply if such activity were conducted on State land.

(b) PRIMARY STATE JURISDICTION.—To the extent that multiple State laws would otherwise apply pursuant to subsection (a) to an insurance or securities activity of an individual or entity on Federal land or facilities, the State having the primary duty to regulate such activity and whose laws shall apply to such activity in the case of a conflict shall be—

(1) the State within which the Federal land or facility is located; or

(2) if the Federal land or facility is located outside of the United States, the State in which—

(A) in the case of an individual engaged in the business of insurance, such individual has been issued a resident license;

(B) in the case of an individual engaged in the offer or sale (or both) of securities, such individual is registered or required to be registered to do business or the person solicited by such individual resides;

(C) in the case of an entity engaged in the business of insurance, such entity is domiciled; or

(D) in the case of an entity engaged in the offer or sale (or both) of securities, such entity is registered or is required to be registered to do business or the person solicited by such entity resides.

SEC. 106. REQUIRED DEVELOPMENT OF MILITARY PERSONNEL PROTECTION STANDARDS REGARDING INSURANCE SALES.

(a) STATE STANDARDS.—The Congress intends that—

(1) the States collectively work with the Secretary of Defense to ensure implementation of appropriate standards to protect members of the Armed Forces from dishonest and predatory insurance sales practices while on a military installation of the United States (including installations located outside of the United States); and

(2) each State identify its role in promoting the standards described in paragraph (1) in a uniform manner within 12 months after the date of the enactment of this Act.

(b) STATE REPORT.—It is the sense of the Congress that the NAIC should, after consultation with the Secretary of Defense and within 12 months after the date of the enactment of this Act, conduct a study to determine the extent to which the States have met the requirement of subsection (a) and report such study to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. 107. REQUIRED DISCLOSURES REGARDING LIFE INSURANCE.

(a) REQUIREMENT.—Except as provided in subsection (d), no insurer or producer may sell or solicit, in person, any life insurance product to any member of the Armed Forces on a military installation of the United States unless a disclosure in accordance with this section is provided to such member before the sale of such insurance.

(b) DISCLOSURE.—A disclosure in accordance with this section is a written disclosure that—

(1) states that subsidized life insurance may be available to the member of the Armed Forces from the Federal Government;

(2) states that the United States Government has in no way sanctioned, recommended, or encouraged the sale of the product being offered;

(3) is made in plain and readily understandable language and in a type font at least as large as the font used for the majority of the policy; and

(4) with respect to a sale or solicitation on Federal land or facilities located outside of the United States by an individual or entity engaged in the business of insurance, except to the extent otherwise specifically provided by the laws of such State in reference to this Act, lists the address and phone number where consumer complaints are received by the State insurance commissioner for the State in which the individual has been issued a resident license or the entity is domiciled, as applicable.

(c) ENFORCEMENT.—If it is determined by a State or Federal agency, or in a final court proceeding, that any individual or entity has intentionally failed to provide a disclosure required by this section, such individual or entity shall be prohibited from further engaging in the business of insurance with respect to employees of the Federal Government on Federal land, except—

(1) with respect to existing policies; and

(2) to the extent required by the Federal Government pursuant to previous commitments.

(d) EXCEPTIONS.—

(1) FEDERAL AND STATE INSURANCE ACTIVITY.—This section shall not apply to insurance activities—

(A) specifically contracted by or through the Federal Government or any State government; or

(B) specifically exempted from the applicability of this Act by a Federal or State law, regulation, or order that specifically refers to this paragraph.

(2) UNIFORM STATE STANDARDS.—If a majority of the States have adopted, in materially identical form, a standard setting forth the disclosures required under this section that apply to insurance solicitations and sales to military personnel on military installations of the United States, after the expiration of the 2-year period beginning on such majority adoption, such standard shall apply in lieu of the requirements of this section to all insurance solicitations and sales to military personnel on military installations, with respect to such States, to the extent that such standards do not directly conflict with any applicable authorized Federal regulation or directive.

(3) MATERIALLY IDENTICAL FORM.—For purposes of this subsection, standards adopted by more than one State shall be considered to have materially identical form to the extent that such standards require or prohibit identical conduct with respect to the same activity, notwithstanding that the standards may differ with respect to conduct required or prohibited with respect to other activities.

SEC. 108. IMPROVING LIFE INSURANCE PRODUCT STANDARDS.

(a) IN GENERAL.—It is the sense of the Congress that the NAIC should, after consultation with the Secretary of Defense and within 12 months after the date of the enactment of this Act, conduct a study and submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on ways of improving the quality of and sale of life insurance products sold by insurers and producers on military installations of the United States, which may include limiting sales authority to companies and producers that are certified as meeting appropriate best practices procedures or creating standards for products specifically designed for members of the Armed Forces regardless of the sales location.

(b) CONDITIONAL GAO REPORT.—If the NAIC does not submit the report to the committees as described in subsection (a), the Comptroller General of the United States shall study any proposals that have been made to improve the quality and sale of life insurance products sold by insurers and producers on military installations of the United States and report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on such proposals within 6 months after the expiration of the period referred to in subsection (a).

SEC. 109. REQUIRED REPORTING OF DISCIPLINED INSURANCE PRODUCERS.

(a) REPORTING BY INSURERS.—After the expiration of the 2-year period beginning on the date of the enactment of this Act, no insurer may enter into or renew a contractual relationship with a producer that solicits or sells life insurance on military installations of the United States unless the insurer has implemented a system to report, to the State insurance commissioner of the State of the domicile of the insurer and the State of residence of the insurance producer, disciplinary actions taken against the producer with respect to the producer's sales or solicitation of insurance on a military installation of the United States, as follows:

(1) Any disciplinary action taken by any government entity that the insurer knows has been taken.

(2) Any significant disciplinary action taken by the insurer.

(b) REPORTING BY STATES.—It is the sense of the Congress that within 2 years after the date of the enactment of this Act, the States should collectively implement a system to—

(1) receive reports of disciplinary actions taken against insurance producers by insurers or government entities with respect to the producers' sale or solicitation of insurance on a military installation; and

(2) disseminate such information to all other States and to the Secretary of Defense.

SEC. 110. REPORTING BARRED PERSONS ENGAGING IN FINANCIAL SERVICES ACTIVITIES.

(a) ESTABLISHMENT.—The Secretary of Defense shall maintain a list of the name, address, and other appropriate information of persons engaged in financial services activities that have been barred, banned, or otherwise limited in any manner that is not generally applicable to all such type of persons, from any or all military installations of the United States or from patronage by military members.

(b) NOTICE AND ACCESS.—The Secretary shall ensure that—

(1) the appropriate Federal and State agencies responsible for any financial services regulation are promptly notified upon the inclusion or removal of a person under such agencies' jurisdiction; and

(2) the list is kept current and easily accessible—

(A) for use by such agencies; and

(B) for purposes of enforcing or considering any such bar, ban, or limitation by the appropriate Federal personnel, including commanders of military installations.

(c) REGULATIONS.—

(1) IN GENERAL.—The Secretary shall issue regulations in accordance with this subsection to provide for the establishment and maintenance of the list under this section, including appropriate due process considerations.

(2) TIMING.—

(A) PROPOSED REGULATIONS.—Not later than the expiration of the 60-day period beginning on the date of the enactment of this

Act, the Secretary shall prepare and submit to the appropriate Committees a copy of the regulations under this subsection that are proposed to be published for comment. The Secretary may not publish such regulations for comment in the Federal Register until the expiration of the 15-day period beginning upon such submission to the appropriate Committees.

(B) FINAL REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate Committees a copy of the regulations under this section to be published as final.

(C) EFFECTIVE DATE.—Such regulations shall become effective upon the expiration of the 30-day period beginning upon such submission to the appropriate Committees.

(3) DEFINITION.—For the purposes of this section, the term ''appropriate Committees'' means—

(A) the Committee on Financial Services and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Banking, Housing, and Urban Affairs and the Committee on Armed Services of the Senate.

SEC. 111. SENSE OF CONGRESS.

It is the sense of the Congress that the Federal and State agencies responsible for insurance and securities regulation should provide advice to the appropriate Federal entities to consider—

(1) significantly increasing the life insurance coverage made available through the Federal Government to members of the Armed Forces;

(2) implementing appropriate procedures to encourage members of the Armed Forces to improve their financial literacy and obtain objective financial counseling before purchasing additional life insurance coverage or investments beyond those provided by the Federal Government; and

(3) improving the benefits and matching contributions provided under the Thrift Savings Plan to members of the Armed Forces.

SEC. 112. DEFINITIONS.

For purposes of this Act, the following definitions shall apply:

(1) ENTITY.—The term ''entity'' includes insurers.

(2) INDIVIDUAL.—The term ''individual'' includes insurance agents and producers.

(3) NAIC.—The term ''NAIC'' means the National Association of Insurance Commissioners.

(4) STATE INSURANCE COMMISSIONER.—The term ''State insurance commissioner'' means, with respect to a State, the officer, agency, or other entity of the State that has primary regulatory authority over the business of insurance and over any person engaged in the business of insurance, to the extent of such business activities, in such State.

TITLE II—LENDING TO ARMED FORCES PERSONNEL

SEC. 201. REQUIREMENTS APPLICABLE TO CERTAIN LOANS TO MILITARY SERVICEMEMBERS.

(a) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) MILITARY LENDER.—

(A) IN GENERAL.—The term ''military lender'' means—

(i) a person engaged in the business of extending consumer credit that—

(I) targets customers who are active duty members of the Armed Forces; or

(II) knows or has reason to know that more than 10 percent of the person's customers for consumer credit products are active duty members of the Armed Forces; and

(ii) any assignee of such person with respect to any credit extended to any such customer.

(B) EXCEPTION.—The term ''military lender'' does not include any insured depository institution, except as provided in paragraph (3)(B).

(C) TREATMENT OF EACH OFFICE AS LENDER.—In the case of any person engaged in the business of extending consumer credit from more than 1 office or at more than 1 location, each office or location at which credit is offered or extended or a credit transaction is consummated shall be treated as a separate person for purposes of this section.

(2) COVERED LOAN.—The term ''covered loan''—

(A) means any extension of credit to an active duty member of the Armed Forces by a military lender that has an annual percentage rate that exceeds by more than 5 percentage points the average annual percentage rate for 24-month personal loans, as published by the Board of Governors of the Federal Reserve System for the most recent calendar quarter preceding the quarter in which such extension of credit is made; and

(B) does not include any extension of credit on margin on securities by a broker or dealer registered with the Securities and Exchange Commission under the Securities Exchange Act of 1934 to the extent such extension of credit complies with the rules and regulations of the Board of Governors of the Federal Reserve System, the Securities and Exchange Commission, and any applicable self-regulatory organization relating to credit on margin on securities.

(3) INSURED DEPOSITORY INSTITUTION.—

(A) IN GENERAL.—The term ''insured depository institution''—

(i) has the meaning given such term in section 3 of the Federal Deposit Insurance Act; and

(ii) includes any insured credit union (as defined in section 101(7) of the Federal Credit Union Act).

(B) EXCLUSION.—For purposes of this section, the term ''insured depository institution'' does not include an insured depository institution in any circumstance in which—

(i) such depository institution is extending credit pursuant to a contractual relationship with a third-party agent; and

(ii) such agent would be a military lender, under this section, if the agent made the same loan as a principal.

(4) ACTIVE DUTY MEMBER OF THE ARMED FORCES.—The term ''active duty member of the Armed Forces'' means any member of the Armed Forces who is on active duty (as defined in section 101(d)(1) of title 10, United States Code) under a call or order that does not specify a period of 30 days or less.

(5) TARGETS CUSTOMERS.—For purposes of paragraph (1)(A)(i)(I), the term ''targets customers'' means to, directly or indirectly, solicit, or engage in other promotional activities explicitly directed at, members of the Armed Forces for the purpose of securing business from the recipients of such solicitations or promotions.

(6) ANNUAL PERCENTAGE RATE.—The term ''annual percentage rate'' has the same meaning as in section 107 of the Truth in Lending Act, as implemented by regulations of the Board of Governors of the Federal Reserve System.

(b) PROTECTION OF MILITARY SERVICEMEMBERS.—Any military lender who makes a loan to an active duty member of the Armed Forces (other than a loan described in paragraph (2)(B)) may not, with respect to such loan—

(1) garnish any military salary or wages, or accept any assignment of or institute any allotment of any military salary or wages, to secure payment of the loan, unless any such allotment or assignment is voluntary and may be cancelled at any time by the borrower;

(2) contact, or threaten to contact, the borrower's commanding officer or any other person in the borrower's military chain of command in an effort to collect on such loan;

(3) include any provision in the loan agreement, or in any other instrument or agreement made in connection with such loan, that purports to—

(A) waive any rights of the borrower under any Federal or State law, including this section and the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.); or

(B) provide the consent of the borrower for any action prohibited under paragraph (1);

(4) at any time, use oral or written representations, or use any symbols, that suggest, give the appearance, or provide reasonable cause to believe that any component of the Armed Forces, the Department of Defense, or any federal entity sponsors or endorses the military lender, any agent of the lender, or any good, service, commodity, or credit that is sold, provided, or extended by the military lender (unless expressly authorized in writing by such entity); or

(5) if such loan is a covered loan, enter into the loan without disclosing, prior to consummation of the transaction and in conspicuous form, the following notice:

''NOTICE TO MILITARY SERVICEMEMBERS:

''You are not required to complete this agreement merely because you have received these disclosures or even if you have signed an application for an extension of credit. If you obtain this credit to repay other loans, you may get into serious financial difficulties if you use this credit to pay off old debts and then replace them with other new debts. Before you complete this agreement, you should consider applying for credit through other organizations or entities. Interest-free loans or grants may be available from the Army, Air Force, or Navy-Marine Corps Relief Society, the United Service Organizations, or another base or military service organization for military personnel seeking short-term credit in response to a family or other emergency.

''This extension of credit is not sponsored or endorsed by any component of the Armed Forces, the Department of Defense, or any Federal entity.

''Your lender may not garnish your salary or wages, or accept any assignment of or institute an allotment of your salary or wages, to secure repayment of the debt, unless any such allotment or assignment is voluntary and may be cancelled by you at any time. Your lender may not contact your commanding officer or anyone in your chain of command in an effort to collect on the loan.

''You and your dependents may have additional rights and protections under Federal and State law with respect to this loan, including the Servicemembers Civil Relief Act, which you cannot waive and which the lender may not ask or require you to waive.''.

(c) RULE OF CONSTRUCTION.—No provision of this section shall be construed as—

(1) authorizing any person that is not a military lender to engage in any activity that is prohibited for military lenders under this section;

(2) creating any inference that any activity described in subsection (b) is a lawful activity for any person or would be a lawful activity for a military lender but for this section; or

(3) creating any inference that any right or protection provided for consumers under any Federal or State law can be waived by any consumer.

(d) ENFORCEMENT.—The provisions of this section shall be enforced under section 917 of the Consumer Credit Protection Act, in the manner provided in such section. For the

purposes of any enforcement under such section 917, any violation of a provision or requirement of this section shall be treated as a violation of a provision or requirement of title IX of such Act.

(e) CIRCUMVENTION PROHIBITED.—The Federal Trade Commission shall, with respect to entities and activities under its jurisdiction, prescribe regulations to become effective not later than 90 days after the date of the enactment of this Act to prevent a military lender from taking any action in connection with any loan made to an active duty member of the Armed Forces to structure a loan transaction, by structuring any loan as an open-end credit plan (as defined in section 103 of the Truth in Lending Act), dividing any loan into separate transactions, using a lower temporary or introductory rate of interest to lower the overall annual percentage rate applicable for any loan, or any similar action, for the purpose of avoiding designation as a covered loan for purposes of this section or otherwise circumventing or evading any requirement of this title.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. DAVIS) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. DAVIS).

GENERAL LEAVE

Mr. DAVIS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 458.

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

There was no objection.

Mr. DAVIS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Today I would like to bring to the attention of my colleagues that there is a long history of certain companies and agents using abusive sales tactics to sell financial products of dubious value to our members of the armed services. Problems have included abusive and coercive sales tactics, outdated and high-cost products, and a lack of uniform regulatory oversight of these practices on our military bases and posts.

The Pentagon has issued directives intended to prevent these abuses. But with the ongoing confusion over regulatory jurisdiction, the lack of communication between government agencies, and lack of sufficient protection standards for certain financial products, it is clear that the abuses will not stop unless Congress enacts the Military Personnel Financial Services Protection Act.

Unfortunately, there are a few bad agents in the securities and insurance industry that have been taking advantage of our military personnel by selling them harmful insurance and investment products.

Mr. Speaker, as a matter of fact, when I myself was a young officer in the Army, a group of salesmen showed up on post and convinced my fellow soldiers and me that I could begin saving for my retirement by buying into an investment plan that included insurance and mutual funds. I was so impressed with their infomercial-like presentation that I invested what was a lot of money to me at the time. It was not until I got out of the Army and into the business world that I discovered how uncompetitive these products were compared with other opportunities.

While serving as an officer in the 82nd Airborne Division, I knew many soldiers who fell victim to such ''contractual plans.''

In my case, I fell for the sales pitch because those agents selling the programs encouraged one of my fellow soldiers to invite me to a presentation. That program included a respected veteran who could show up on post without the post commander's permission. I did not make the decision because I was a financial expert, because I was not, I made the decision because a retired servicemember, whom I respected, working as a salesman, presented this, and he was using referrals from other servicemembers who he convinced it was a good thing.

Because of these types of selling practices, I am pleased to report that today the House will be voting on this reintroduced, bipartisan legislation, H.R. 458, which will protect those preserving our freedom from some unnecessary, high-cost financial products.

This piece of legislation would clarify that State insurance regulators have jurisdiction over insurance sales on military bases within their States. Also, it would ban the sale of contractual mutual funds and require that our military personnel hear about government life insurance programs before buying private life insurance.

This bill would also allow our military post commanders to ban unscrupulous agents from their bases and posts and forward a list of these banned agents to the Department of Defense, and the DOD would compile lists and send them to State departments of insurance for further investigation.

We cannot allow these abusive practices to continue. We must not ask the men and women of our armed services to make sacrifices for our security without doing all that we can to protect their financial futures. You may be pleased to know that in the 108th Congress, this purpose-driven piece of legislation passed overwhelmingly with a vote of 396–2. During this Congress, the Committee on Financial Services reported this bill to protect our servicemen and -women by unanimous vote. This overwhelmingly bipartisan census is the result of strong leadership by the gentleman from Ohio (Mr. OXLEY) and the ranking member, the gentleman from Massachusetts (Mr. FRANK), and subcommittee chairman on capital markets, the gentleman from Louisiana (Mr. BAKER) and ranking member, the gentleman from Pennsylvania (Mr. KANJORSKI), who led our investigation into abusive practices and bad products.

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The gentleman from Kansas (Mr. RYUN) and the gentleman from New York (Mr. ISRAEL), who worked closely together on the reporting requirements, are to be thanked, as well as the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) for ensuring appropriate SEC oversight of broker-dealer practices on military posts. Also, I would like to thank the gentleman from Illinois (Mr. GUTIERREZ) for working on new requirements for high-cost lending. Their hard work and bipartisan leadership is well reflected in the legislation.

Today, I urge my colleagues in the 109th Congress to support this bipartisan bill and vote ''yes'' on the Military Personnel Financial Services Protection Act and protect our military from these predatory financial products and sales practices.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

The gentleman from Kentucky has quite correctly described both the need for this bill and what it does, and I am very pleased that this is one in a number of genuinely nonpartisan efforts that the Committee on Financial Services has brought forward.

I think there is a consensus in our committee. We have some issues about which we disagree, and we will continue to do so in a good spirit. But we also have a consensus that it is possible to work to make sure that the financial sector, the financial intermediaries in this country, are able to perform their function, which is so important in our capitalist society, but still protect consumers from abusive practices, that is, legitimate protection of consumers need not be seen, should not be seen, as inconsistent with support for the function that the financial intermediaries should perform in our system.

This legislation is a very good example of that. It was introduced previously, as the gentleman from Kentucky mentioned, in a previous Congress. One version of it was also introduced, very similar, by the gentleman from Illinois (Mr. EMANUEL), who is on our committee. Our committee acted; the House acted. We are hopeful that the Senate will this time, because we are passing it early enough in this 2-year session to get its attention to go along with us.

And I would also note, as the gentleman from Kentucky graciously mentioned, that the gentleman from Illinois (Mr. GUTIERREZ) addressed as well at the session when we brought this up, the problem of payday lending, abusive payday lending for members of the military. As we know, members of the military, particularly now that we have mobilized the Guard, we have young, not always young, men and women in the military who may find themselves in economic distress

through no fault of their own because of an unforeseen call-up. They are fully entitled to our protection against those people who would prey on them.

So what we have done in this bill is to protect them from inappropriate sales, given the stressful situation in which they find themselves, the pressures they are under; and we have added, thanks to the initiative of the gentleman from Illinois, protection against abusive payday lending. And I appreciate the majority, the gentleman from Kentucky and the gentleman from Ohio (Mr. OXLEY), the chairman of the committee, in working with the gentleman from Illinois (Mr. GUTIERREZ) so that we were able to bring forward a comprehensive bill that we believe will protect members of our military from any kind of financial impositions on them of an inappropriate sort.

So I am delighted to join in what I hope will be an overwhelming, if not unanimous, vote for this bill; and I hope the Senate will act promptly.

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

Mr. DAVIS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Massachusetts for his remarks and also heartily agree and hope that the Senate will pass this bill and take it up in an aggressive manner. I thank all the members of the Committee on Financial Services for their support on both sides of the aisle. It was truly a bipartisan effort.

Mrs. TAUSCHER. Mr. Speaker, I rise today to speak in support of H.R. 458, the Military Personnel Financial Services Protection Act of 2005.

I congratulate Chairman OXLEY and all the members of the Financial Services Committee for putting forth a bill that seeks to protect our men and women in uniform from certain deceptive practices.

During the Financial Services Committee's consideration of this bill, my colleague Representative GUTIERREZ raised concerns about the issue of pay day loans and offered an amendment to extend the bill's coverage to them.

These are deferred-deposit loans that offer borrowers short-term credit that will be repaid on the person's next pay day.

If the borrower does not repay the loan at the end of the period, it can be rolled over with additional fees and interest assessed. Because of the way these loans work, the annual percentage rates are often 390 percent or more.

Representative GUTIERREZ was rightfully concerned that the high interest rates of such loans cause too much debt for military personnel and this could impede their military readiness.

Mr. Speaker, I am pleased to see that the bill before us today contains language that places new requirements on military lenders and requires certain disclosures of lenders offering service members loans with higher-than-average rates, including payday loans.

It is time to crack down on unscrupulous lenders who seek to make a quick buck by selling improper loans to our uniformed service members.

I am pleased that the bill requires the Secretary of Defense to create and maintain a registry of banned payday lenders.

The Secretary will be responsible for updating and maintaining the registry, which will provide the name, address, and other identifying information of the banned or barred agent or advisor.

The registry must be accessible and searchable by the public and local installation commanders and appropriate Federal and State financial regulators.

Furthermore, I wish to bring to the House's attention that the Commander's webpage section of the Defense Department's website currently has a section entitled, ''Quick Links.''

Under this are several tabs the user can click on dealing with such issues as Compensation, Deployment, Benefits, and the like.

I would like to urge the House to stipulate that the Defense Department place another separate tab under this ''Quick Links'' section and have it be a specific listing of abusive lenders so our service members can know whom to avoid.

Mr. Speaker, I think we all can agree that our soldiers do not deserve to be taken advantage of and the actions taken today are a step in the right direction.

Mr. OXLEY. Mr. Speaker, I rise in support of H.R. 458, the Military Personnel Financial Services Protection Act. This bill, introduced by my good friend Mr. GEOFF DAVIS from the Commonwealth of Kentucky, will go a long way towards protecting the men and women serving in our Nation's military from deceptive financial practices and unsuitable financial products.

Mr. Speaker, since the tragic day of September 11, 2001, our country has been at war. In the prosecution of that war, our armed services have performed heroically. Many have made the ultimate sacrifice for the cause of freedom. Unfortunately, there are a few bad actors in the financial services industry who have been taking financial advantage of our armed forces. These unscrupulous companies and salesmen gain access to military installations and use aggressive, misleading, and often illegal sales tactics, to sell high-cost products of dubious value that are unsuitable for any investor, and are particularly unsuitable for our military personnel.

The Pentagon has issued directives intended to prevent these abuses. But with the ongoing confusion over regulatory jurisdiction, the lack of communication among government agencies, and the lack of sufficient protection standards for certain financial products, it is clear that the abuses will not stop unless Congress enacts this legislation.

H.R. 458 bans bad financial products and sales practices, clarifies regulatory jurisdiction on military installations within the United States and abroad, adds appropriate consumer protections and disclosures for financial products, and ensures proper reporting systems between our military and the financial regulators to ensure bad actors cannot escape. It also makes the process of selecting a financial advisor more transparent for all investors, by providing online access to background information on broker-dealers, including disciplinary actions. Finally, the legislation imposes new requirements on lenders that target a military clientele for high-cost loan products, to ensure that our men and women in uniform are treated fairly when obtaining credit, and are fully informed about the costs and potential consequences of entering into credit arrangements that feature high annual percentage rates.

The House passed similar legislation in the 108th Congress by a vote of 396 to 2. This term, our Committee reported Mr. DAVIS' bill to protect our servicemen and women by a unanimous vote. This overwhelming bipartisan consensus is the result of strong leadership by Mr. DAVIS, the author of this legislation; the chairman of the Subcommittee on Capital Markets, Mr. BAKER, who led our investigation into abusive practices and bad products; Mr. JIM RYUN and Mr. ISRAEL who worked closely together on the reporting requirements of this bill; Ms. BROWN-WAITE for ensuring appropriate SEC oversight of broker-dealer sales practices on military installations; and Mr. GUTIERREZ for working on new requirements for high cost lending. Their hard work and bipartisan leadership is well-reflected in this legislation.

I urge my colleagues in the full House to support this bipartisan bill and vote ''yes'' on H.R. 458.

Mr. EMANUEL. Mr. Speaker, I rise in strong support of H.R. 458, the Military Personnel Financial Services Protection Act. H.R. 458 is identical to legislation passed by the House of Representatives by a vote of 396 to 2 in the 108th Congress. Unfortunately, the Senate did not act on that legislation.

Last year, I worked closely with Financial Services Committee Chairman MICHAEL OXLEY, Ranking Member BARNEY FRANK and Capital Markets Subcommittee Chairman RICHARD BAKER in holding hearings and developing legislation to add new protections for enlisted personnel.

The legislation we produced last session is before us once again today. The Military Personnel Financial Services Protection Act will go a long way toward eliminating these abuses and protecting our troops.

First, and most importantly, H.R. 458 bans the sale of contractual mutual funds on military bases. These expensive funds disappeared from the civilian market in the 1980s because their first-year commissions are equal to half of all contributions.

If they are not good enough for civilians, why should we allow them to be sold to our men and women in uniform?

Many of our enlistees are of modest financial means and need to cash in food stamps to feed their families. None of them can afford a 50 percent commission, and often, they do not realize they are paying so much.

If we want to give financial services firms access to military bases, that is one thing. But we cannot allow our young men and women to be used as laboratories for expensive financial products or to be seen as ATM machines, and that is what contractual mutual funds have made them.

This legislation also includes new disclosure requirements for life insurance products, so it is crystal clear what is being sold. H.R. 458 requires companies to provide recruits with a ''Plain English'' document telling them

subsidized life insurance is available from the Federal Government and that the Government does not endorse, recommend or encourage them to buy the product.

Finally, H.R. 458 clarifies the authority of state insurance regulators to act against bad actors on-base. The States are also directed to create uniform military personnel protection standards and to work with the Department of Defense to carry out those standards.

Mr. Speaker, it is time to end a culture on military bases that too often favors financial interests over the interests of our troops, their families, and their futures.

I encourage my colleagues to support this important legislation.

Mr. DAVIS of Kentucky. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RADANOVICH). The question is on the motion offered by the gentleman from Kentucky (Mr. DAVIS) that the House suspend the rules and pass the bill, H.R. 458, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. DAVIS of Kentucky. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SENSE OF CONGRESS THAT THERE SHOULD BE ESTABLISHED A CARIBBEAN-AMERICAN HERITAGE MONTH

Mr. DENT. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 71) expressing the sense of Congress that there should be established a Caribbean-American Heritage Month.

The Clerk read as follows:

H. CON. RES. 71

Whereas people of Caribbean heritage are found in every State of the Union;

Whereas emigration from the Caribbean region to the American Colonies began as early as 1619 with the arrival of indentured workers in Jamestown, Virginia;

Whereas during the 17th, 18th, and 19th centuries, a significant number of slaves from the Caribbean region were brought to the United States;

Whereas since 1820, millions of people have emigrated from the Caribbean region to the United States;

Whereas much like the United States, the countries of the Caribbean faced obstacles of slavery and colonialism and struggled for independence;

Whereas also like the United States, the people of the Caribbean region have diverse racial, cultural, and religious backgrounds;

Whereas the independence movements in many countries in the Caribbean during the 1960's and the consequential establishment of independent democratic countries in the Caribbean strengthened ties between the region and the United States;

Whereas Alexander Hamilton, a founding father of the United States and the first Secretary of the Treasury, was born in the Caribbean;

Whereas there have been many influential Caribbean-Americans in the history of the United States, including Jean Baptiste Point du Sable, the pioneer settler of Chicago; Claude McKay, a poet of the Harlem Renaissance; James Weldon Johnson, the writer of the Black National Anthem; Shirley Chisolm, the first African-American Congresswoman and first African-American woman candidate for President; and Celia Cruz, the world renowned queen of Salsa music;

Whereas the many influential Caribbean-Americans in the history of the United States also include Colin Powell, the first African-American Secretary of State; Sidney Poitier, the first African-American actor to receive the Academy Award for best actor in a leading role; Harry Belafonte, a musician, actor, and activist; Marion Jones, an Olympic gold medalist; Roberto Clemente, the first Latino inducted into the baseball hall of fame; and Al Roker, a meteorologist and television personality;

Whereas Caribbean-Americans have played an active role in the civil rights movement and other social and political movements in the United States;

Whereas Caribbean-Americans have contributed greatly to education, fine arts, business, literature, journalism, sports, fashion, politics, government, the military, music, science, technology, and other areas in the United States;

Whereas Caribbean-Americans share their culture through carnivals, festivals, music, dance, film, and literature that enrich the cultural landscape of the United States;

Whereas the countries of the Caribbean are important economic partners of the United States;

Whereas the countries of the Caribbean represent the United States third border;

Whereas the people of the Caribbean region share the hopes and aspirations of the people of the United States for peace and prosperity throughout the Western Hemisphere and the rest of the world; and

Whereas June is an appropriate month to establish a Caribbean-American Heritage Month: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) a Caribbean-American Heritage Month should be established; and

(2) the people of the United States should observe the month with appropriate ceremonies, celebrations, and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. DENT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. DENT).

GENERAL LEAVE

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the concurrent resolution under consideration.

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

There was no objection.

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

Mr. Speaker, on behalf of the Committee on Government Reform, I rise in support of House Concurrent Resolution 71, a resolution that recognizes the Caribbean-American community. This is a meaningful resolution to many Americans of Caribbean heritage, and I trust my colleagues will join me in support.

Mr. Speaker, America and the islands of the Caribbean have been eternal neighbors, and our pasts and futures are inexorably connected. The first permanent European settlement in the Caribbean was established by Spain on Hispaniola, the island that is now Haiti and the Dominican Republic, in 1496. The first native Caribbean people came to mainland North America as indentured servants at Jamestown, Virginia, in 1619.

Since the birth of our Nation, the United States has greatly benefited from the contributions of those of Caribbean descent. From Alexander Hamilton, the first Secretary of the Treasury, and founder of the First Bank of the United States, who was born on the island of Nevis, through Secretary of State Colin Powell, who was born to Jamaican immigrants, Caribbean-Americans have impacted all aspects of our Nation in tremendous ways.

Mr. Speaker, without question America greatly values its Caribbean-American population. This concurrent resolution is one important way that Congress can express its appreciation of the patriotism and honor of Caribbean-Americans. In addition, the United States Government enjoys great relationships with many island countries in the Caribbean as we work together on many issues including drug trafficking and trafficking in persons.

This concurrent resolution enjoys strong bipartisan support, of course, of the Caribbean-American Cultural Association and the Caribbean Diaspora Empowerment Foundation, not to mention the 81 cosponsors here in the House. I support the concurrent resolution as well.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join with the gentleman from Pennsylvania in consideration of H. Con. Res. 71, which expresses the sense of Congress that June should be designated as National Caribbean-American Heritage Month.

This concurrent resolution, introduced by the gentlewoman from California (Ms. LEE), recognizes that emigration from the Caribbean region to the American colonies began as early as 1619 with the arrival of indentured workers in Jamestown, Virginia. During the 17th, 18th, and 19th centuries, a significant number of slaves from the Caribbean region were brought to the United States.

This concurrent resolution also recognizes that millions of people have

emigrated from the Caribbean region to the United States since 1820 and points out that Alexander Hamilton, a Founding Father of the United States, was born in the Caribbean. Other influential Caribbean-Americans include Jean Baptiste Point du Sable, the pioneer settler of Chicago; Celia Cruz, the world renowned queen of Salsa music; James Weldon Johnson, the writer of the Black National Anthem; Shirley Chisolm, the first African American Congresswoman and first African American woman candidate for President; Colin Powell, the first African American Secretary of State; and Al Roker, a meteorologist and television personality.

Caribbean-Americans have played active roles in the civil rights movement and other social and political movements in the United States; and they have contributed greatly to education, fine arts, business, literature, journalism, sports, fashion, politics, government, the military, music, science, and technology. This concurrent resolution will increase national awareness of contributions made by Caribbean-Americans to U.S. culture, history, and politics.

I am also pleased to note, Mr. Speaker, that Ambassador Sidney Williams is an ambassador to the Bahamas and is also a spouse of a Member of this body, the gentlewoman from California (Ms. WATERS).

I know that the gentlewoman from California (Ms. LEE) had wanted to be here to speak to her resolution; but, unfortunately, her flight was such that she could not make it.

Mrs. CHRISTENSEN. Mr. Speaker, I rise today in strong support of H. Con. Res. 71, expressing the sense of Congress that there should be established a Caribbean-American Heritage Month and urge my colleagues to support its adoption. As a Caribbean-American myself, it gives me great pride to have been an original cosponsor of this resolution as well as to see it on the verge of passage in the House.

Mr. Speaker, the contributions of the people and islands of the Caribbean in the fields of sports, entertainment, politics and culture in the 20th century alone more than makes this resolution worthwhile.

In the fight for emancipation and liberation, my fellow Virgin Islander Edward Blyden, along with George Padmore, Marcus Garvey and Claude McKay were among the first West Indian Americans to become well known and well respected in the African American's struggle for racial equality.

Other famous West Indian Americans include former U.S. Representative Shirley Chisholm; Franklin Thomas, former head of the Ford Foundation; Federal Judge Constance Baker Motley, the first black woman appointed to the Federal Judiciary; activists Stokely Carmichael—Kwarne Toure—Roy Innis, Malcolm X and Louis Farrakhan; world renowned actor Sidney Poitier; civil rights activist and singer, Harry Belafonte; Earl Greaves, philanthropist, businessman and publisher of Black Enterprise; and now Colin Powell the first black U.S. Secretary of State, have all made impressive contributions on behalf of African Americans.

Mr. Speaker, the small nations of the Caribbean wield a cultural influence that has spread to the remote comers of the world. Our culture, notably the music—calypso, reggae, Afro-Cuban and their derivatives—which was created by-and-large by a people who long considered themselves marginalized, has spread far and wide and enjoys unheard of popularity today.

But more than just our musical influence, Nobel prizes for literature have gone to poets St. Jean Perse of Guadeloupe and Derek Walcott of St. Lucia from among a number of highly regarded Caribbean writers. Moreover, internationally admired painters Wifredo Lam of Cuba and Leroy Clarke of Trinidad and Tobago and Haiti's "naive" artists took inspiration from a complex cosmology born from West African religions and Christianity. And Trinidad and Tobago's carnival was the basis for the breathtaking costumed parades designed by Peter Minshall of Guyana and Trinidad for the Barcelona, Atlanta and Salt Lake City Olympics.

Mr. Speaker, it is indeed fitting and proper that we honor the contributions of the people of the Caribbean to our history and culture. Indeed, if providence had not made it possible for our founding father Alexander Hamilton to travel to New York from my home island of St. Croix to further his education, we might not be celebrating the founding of this Nation next week and instead have remained a colony of the United Kingdom even today.

I urge my colleagues to support the adoption of H. Con. Res. 71.

Mr. ENGEL. Mr. Speaker, I rise in support of H. Con. Res. 71, supporting the establishment of a Caribbean American Heritage Month. I urge the approval of this resolution to support the Caribbean Americans who have contributed immensely to American society throughout our history. They overcame slavery and colonialism to fight for their independence, and emigrated to American colonies as early as 1619.

The countless number of influential figures in American history who are of Caribbean heritage indicates the need to set aside a designated time to celebrate their contribution to our country. Alexander Hamilton, a founding father of the United States and the first Secretary of the Treasury, James Weldon Johnson, the writer of the Black National Anthem, Colin Powell, the first African-American Secretary of State, Marion Jones, an Olympic gold medalist, Shirley Chisolm, the first African-American Congresswoman and first African-American woman candidate for President are only a few. These key figures in our history have left their marks on an array of fields; politics, art, music, business, government, and more.

A large number of my constituents are of Caribbean heritage, including Haitian, Jamaican, Dominican, and others. Our community has benefited greatly from their presence and involvement. I advocate establishing a Caribbean-American Heritage month to highlight my own constituents as well as Caribbean Americans all over the United States. I support a month with appropriate ceremonies, celebrations, and activities for a people who have suffered through years of slavery in past centuries and who have come to America to share with the rest of the world their dreams of freedom.

Mr. Speaker, this is an important resolution and I therefore strongly urge its passage.

Mr. RANGEL. Mr. Speaker, I rise in strong support of H. Con. Res. 71, to provide for the establishment of a Caribbean-American Heritage Month. Congresswoman LEE's resolution represents a nonpartisan appeal to honor the millions of Caribbean-Americans who have contributed greatly to the social, political, and economic life of the United States. I am proud to be a cosponsor of this legislation, and urge my fellow colleagues to lend their support to this important measure.

Caribbean Americans are becoming an increasingly integral part of the American fabric. Though the total Caribbean-American population is approximately 3 million, the Department of Homeland Security estimates 4 million Caribbean people have immigrated to the United States since the 1820s. As a representative of New York City, where Caribbean Americans account for over 25% of the population, I can attest first-hand to the size and impact of this community.

Many Americans do not know the extent of the Caribbean-American contribution to the United States. Indeed, the Capitol Building in which we stand today was designed by a man from the British Virgin Islands. Alexander Hamilton, one of our country's founding fathers and the first U.S. Secretary of the Treasury was from the Caribbean island of Nevis.

The founder of Chicago, Jean Baptiste Point du Sable, was born in Haiti, and Shirley Chisolm, the first African American woman elected to Congress, was also of Caribbean ancestry. Colin Powell, the first African American Secretary of State, is of Jamaican heritage. One could go on and on with the names of Caribbean Americans who have made significant contributions to our history and society, and that just serves to validate why this resolution is long overdue.

In addition to their contribution inside the U.S., individuals of Caribbean descent have contributed directly to the United States even when they did not actually reside in the country. Many are not aware that the United States utilized the skill and labor of thousands of English speaking Caribbean workers in the construction of the Panama Canal in the early 1900s. So large was this group that many of their descendants remain in Panama, and throughout Central America, to this day. The immense contribution that the Canal has made to the American economy, and global trade in general, serves as another reminder of what people of Caribbean decent have given to our country.

Caribbean-Americans also help to maintain the economic vitality of the region. As we all know the United States provides significant financial assistance to the Caribbean. However, this amount is dwarfed by the $1.6 billion that Caribbean Americans send to the region in the form of remittances to family members. This is needed more than ever as the nations of the Caribbean continue to face many obstacles related to their small economies, and frequent natural disasters.

As we reflect on the contributions of the Caribbean community, there is much that we can learn from them. The Caribbean is quite arguably the most diverse region in the Western Hemisphere. With a population consisting of Asians, East Indians, Africans, Europeans, Native Americans, and even Middle Easterners, the Caribbean has thrived in its diversity, and Caribbean Americans have brought this culture of tolerance and inclusion with

them as they have integrated into American society.

As we now find ourselves with the passage of this resolution appropriately recognizing the Caribbean American community, I find it appropriate to point out a little-known, but ironic, fact. The first country to recognize the fledging United States in 1776 was the Caribbean island of St. Eustatius. At a time when the odds where stacked against our Nation, the Caribbean was the first to extend the hand of friendship. Now we have the opportunity to return the favor with H. Con. Res. 71. I thank the gentlewomen from California for her introduction of this resolution, and I am confident that my colleagues will follow her lead.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today as an original cosponsor to H. Con. Res. 71, which expresses the sense of Congress that there should be the institution of a Caribbean-American Heritage Month. Persons of Caribbean descent played a fundamental role in the establishment of our Nation—these same Diasporic communities continue to contribute to the well being of the United States today.

Beginning with the emigration of indentured servants from the Caribbean to Jamestown, Virginia in 1619—through the slave trade the following three centuries, it is not surprising to find people of Caribbean heritage in every State of the Union. It is upon these first individual's works and merits that a large part of this country was built.

Although the countries of the Caribbean faced obstacles of slavery and colonialism, their struggles for independence prevailed. This racially, culturally, and religiously diverse region of the world contributes greatly to the economy of our own Nation. While the Caribbean is a vital supplier to the sugarcane, coffee, cocoa, gold, tobacco, and banana industries, their contributions exceed monetary value.

There have been many influential Caribbean-Americans in the history of the United States, including: Colin Powell, the first African-American Secretary of State. Shirley Chisolm, the first African-American Congresswoman and first African-American woman candidate for President. Sidney Poitier, the first African-American actor to receive the Academy Award for the best actor in a leading role. Harry Belafonte, a musician, actor, and activist. Claude McKay, a poet of the Harlem Renaissance. Celia Cruz, world renowned queen of Salsa music. Roberto Clemente, the first Latino inducted into the baseball hall of fame; and Al Roker, meteorologist and television personality.

From this short list, we see that Caribbean-Americans shared not only their culture, and expertise in education, fine arts, business, literature, jounalism, politics, and science, but the people of the Caribbean region also share the hopes and aspirations of the people of the Unites States for peace and prosperity throughout the world. Given their contributions to our Nation, it would only be appropriate of the people of the United Sates to observe the month of June with fitting ceremonies, activities, and celebrations. It is on these grounds that I request that Congress honor the establishment of Caribbean-American Heritage Month.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DENT. Mr. Speaker, I urge all Members to support House Concurrent Resolution 71, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. DENT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 71.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

JOHN J. HAINKEL POST OFFICE BUILDING

Mr. DENT. Mr. Speaker, I move to suspend the rules and pass the bill (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,'' as amended.

The Clerk read as follows:

H.R. 2346

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JOHN J. HAINKEL, JR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 105 NW Railroad Avenue in Hammond, Louisiana, shall be known and designated as the ''John J. Hainkel, Jr. Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''John J. Hainkel, Jr. Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. DENT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. DENT).

GENERAL LEAVE

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, this legislation salutes the life of an extraordinary member of the Louisiana legislature, the late John Hainkel, Jr. John Hainkel served 20 years in the Louisiana State house and another 25 years in the State senate until he passed away on April 15 this year. I know he was a tremendous representative of his many constituents and supporters.

The State of Louisiana has mourned the loss of Senator Hainkel for several weeks, but I appreciate the House leadership's selecting this bill for consideration so the entire Nation can acknowledge the life of this highly respected man. I also want to especially thank the distinguished gentleman from Louisiana (Mr. JINDAL) for his work on this bill and his commitment to recognizing Senator Hainkel.

Prior to his passing, Senator Hainkel had served in Baton Rouge since 1968, when he was first elected to the State house. He clearly earned the great respect of his colleagues because he became speaker of the house in 1980, and he held that post through 1984. In 1988, New Orleans voters elected him to be their State senator. He ultimately became president of the senate from 2000 through last year. He remained in the senate until his passing in April.

Mr. Speaker, I support this post office designation on behalf of John J. Hainkel, Jr. and urge all Members to do the same. It seems clear his contributions to the State of Louisiana will be long lasting. I look forward to the words of the gentleman from Louisiana (Mr. JINDAL), sponsor of this legislation.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, as a Member of the House Committee on Government Reform, I am pleased to join with my colleague in consideration of H.R. 2346, legislation naming a postal facility in Hammond, Louisiana, after the late John J. Hainkel, Jr. This measure, which was introduced by the gentleman from Louisiana (Mr. JINDAL) on May 12, 2005, and unanimously reported by our committee on June 16, 2005, enjoys the support and cosponsorship of the entire Louisiana delegation.

John Hainkel was first elected to the Louisiana legislature in 1968. He held that position for 20 years, also serving as speaker of the house from 1980 to 1984.

□ 1500

The voters in uptown New Orleans elected him in 1988 to the State senate, where he served until his death representing the Sixth District. While serving in the senate, his colleagues elected him president of the senate in the Year 2000, a position he held until 2004. He is the only legislator in Louisiana history to hold the leadership position in both houses.

Senator Hainkel supported the arts, was pro-business, worked hard to clean up Lake Pontchartrain, and loved to hold legislative meetings over the barbecue pit. He loved his district and State and served 38 years in politics working to improve the lives of his constituents. Sadly, John Hainkel passed away this past April.

Mr. Speaker, designating the post office in Hammond, Louisiana, is an excellent way to honor the memory of

one of Louisiana's political legends, John Hainkel, Jr. I commend my colleague for sponsoring this measure and urge swift passage.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DENT. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Louisiana (Mr. JINDAL), the author of H.R. 2346.

Mr. JINDAL. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise both with a grateful and also a heavy heart. I rise with a grateful heart and I want to thank my colleagues for their speedy consideration of this resolution. I rise with a heavy heart because of the untimely passing of not only a colleague, but a friend.

I first met John Hainkel well over a decade ago, and at that point he had already been involved in elected politics for well over three decades. Senator Hainkel, as you already heard, accomplished many significant things in his public career. Indeed, he was the only person in Louisiana's history to be elected both speaker of the house and president of our senate.

His broad-based appeal, however, extended beyond party lines. He was elected as speaker of the house, serving as a Democrat, with the active support of Louisiana's first Republican Governor elected in modern times. He then went on to serve, when I first met him, as chairman of the senate budget committee as a Republican, even though two-thirds of the senate at that time was comprised of Democrats. Indeed, when he served as president of the senate as a Republican, two-thirds of the senate in Louisiana at the time was comprised of Democratic members. I think that fact alone shows his bipartisan support, his broad appeal to many senators and representatives.

The reason he commanded such respect was the fact that he brought integrity, the fact he brought humor, wit, the fact that he brought fashion to the daily legislative tasks.

But John was more than just a senator, he was more than just a legislator. Indeed, he was very accomplished in those arenas. Senator Hainkel not only worked with Pat Taylor to bring about Louisiana's TOPS bill, which provides access for students to higher education, but he championed many budget reforms, helping to turn deficits into surpluses, helping to reform our State's health care system and helping to revive our State's economy.

But his accomplishments outside the legislature were almost as noteworthy as his accomplishments inside the legislature. John was also not only a dedicated senator, a dedicated representative, he was also a dedicated Tulane fan. I know that he watched from above as his Green Wave served him well in Omaha and went on to do so well in the College World Series. I know that he will still be watching them season after season, just with slightly better seats than he had before.

Indeed, Senator Hainkel was known for his friendship and was known for reaching out to new members of the bodies in which he served, to new members of the administration. He truly brought a passion and an attitude of public servant leadership that too often is missing from our elected halls. He brought a spirit of bipartisanship, a spirit of love for his home State of Louisiana.

Several things have been said about Senator Hainkel and the years of service he offered my State. I also want to note that he is survived by his son, John J. Hainkel, III, his daughter, Juliet Hainkel Holton, his other daughter, Alida Hainkel Furr, and by five grandchildren. I know his family brought him much joy. I know they, like I, am very saddened by his untimely and his early departure.

It is hard, it would be really impossible, to overstate the amount of affection and respect that Senator Hainkel engendered not only in his home district, but the home State of Louisiana. Whether you were with him or against him on a particular legislation, and I was in both places, whether you were with him or against him in a particular election, and I was in both places, he was always a worthy friend and a worthy opponent.

I can certainly think of nothing that would be more appropriate than naming, at least as a small tribute to him, this post office in Hammond, Louisiana, that was within the district he represented in the senate. Indeed, there is a spirited election to replace him now. Two very distinguished women are seeking that post. Though either one of them will serve well, neither of them will be truly able to succeed and replace the giant that was John Hainkel.

I want to thank my colleagues again for their support.

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

Mr. Speaker, I simply urge all Members to support the passage of H.R. 2436.

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

The SPEAKER pro tempore (Mr. RADANOVICH). The question is on the motion offered by the gentleman from Pennsylvania (Mr. DENT) that the House suspend the rules and pass the bill, H.R. 2346, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to designate the facility of the United States Postal Service located at 105 NW Railroad Avenue in Hammond, Louisiana, as the 'John J. Hainkel, Jr. Post Office Building'.''.

A motion to reconsider was laid on the table.

MAYOR JOSEPH S. DADDONA MEMORIAL POST OFFICE

Mr. DENT. Mr. Speaker, I move to suspend the rules and pass the bill (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''.

The Clerk read as follows:

H.R. 2490

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MAYOR JOSEPH S. DADDONA MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 442 West Hamilton Street, Allentown, Pennsylvania, shall be known and designated as the ''Mayor Joseph S. Daddona Memorial Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Mayor Joseph S. Daddona Memorial Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. DENT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. DENT).

GENERAL LEAVE

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2490.

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

There was no objection.

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

Mr. Speaker, H.R. 2490 honors Joseph S. Daddona for his respected service to the community, my hometown, Allentown, Pennsylvania. Mr. Daddona was born in 1933, the son of Italian American immigrants. He grew up in the Second Ward of Allentown, in an ethnically diverse neighborhood.

Too poor to attend college after graduating from what was then Allentown High School, he enlisted in the United States Navy and served his country during the Korean War. After safely returning from overseas, Mr. Daddona put himself through Lehigh University and received an engineering degree.

Although he began his career as a planning engineer for the Western Electric Company, he found himself increasingly drawn to politics in the City of Allentown. In the mid-1960s, as a member of the Allentown Jaycees, Joe Daddona spearheaded the effort to create a Charter Study Commission for the city. He subsequently won a seat on that commission, helped draft the city's strong mayor form of government, and later served a term as an Allentown city councilman.

In 1973, Daddona was elected mayor for the first time. During his tenure,

Allentown was designated an All-American City, one of his proudest accomplishments and something he spoke of often. He stood for reelection in 1977, but lost by 121 votes. Undeterred, Joe Daddona ran again in 1981 and won. He also triumphed in 1985 and 1993, making him the longest serving mayor in the city's history, along with Malcolm W. Gross.

Mayor Daddona's other endeavors include establishing parks, fire stations, and high-rise apartments for the elderly. He also improved environmental conditions at the local sewage treatment facility and was responsible for numerous modifications to local traffic patterns.

Daddona was a relentless booster for the city of Allentown. He was constantly in touch with his constituents and worked tirelessly to solve neighborhood problems. He loved to show off the city during Super Sunday and Mayfair events.

After his political career ended, he appeared on various local television and radio shows, in part to extol the virtues of the city. Daddona died after a long battle with cancer on June 5, 2004. He is survived by his wife Ann and their children.

Mr. Speaker, I urge all my colleagues to join me in support of H.R. 2490 in recognition and memory of my friend, the late Mayor Joe Daddona.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, as a member of the House Committee on Government Reform, I am pleased to join my colleague in consideration of H.R. 2490, legislation naming the postal facility in Allentown, Pennsylvania, after the late Joseph S. Daddona, the former mayor of Allentown.

This measure, which was introduced by the gentleman from Pennsylvania (Mr. DENT) on May 19, 2005 and unanimously reported by our committee on June 16, 2005, enjoys the support and cosponsorship of the entire Pennsylvania delegation.

Born and raised in Allentown, Joseph Daddona served 8 years in the U.S. Navy during and after the Korean War. From 1966 to 1994, he served as the mayor of Allentown, the longest serving mayor in the town's history. As mayor, Joseph worked hard to improve the lives of his constituents. He established parks, housing for seniors, and improved environmental conditions.

Sadly, he passed away last June.

Mr. Speaker, I commend my colleague for seeking to honor the legacy of Joseph Daddona and urge swift passage of this bill.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

Mr. Speaker, I thank all my colleagues for their support of this effort to honor my late friend, Joe Daddona.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. DENT) that the House suspend the rules and pass the bill, H.R. 2490.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COMMEMORATING MYSTIC SEAPORT: THE MUSEUM OF AMERICA AND THE SEA IN RECOGNITION OF ITS 75TH YEAR

Mr. FORTUNA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 152) commemorating Mystic Seaport: the Museum of America and the Sea in recognition of its 75th year, as amended.

The Clerk read as follows:

H. Con. Res. 152

Whereas Mystic Seaport: the Museum of America and the Sea was founded as the Marine Historical Association on December 29, 1929, to preserve, protect, and honor the legacy of America's great maritime tradition and culture;

Whereas Mystic Seaport has grown into the largest, most diverse maritime museum, and the fourth largest history museum, in the Nation;

Whereas the mission of Mystic Seaport is to create a greater awareness and deeper appreciation of America's relationship to the sea and the impact of that relationship upon us as individuals and as a Nation;

Whereas the collections of Mystic Seaport include four National Historic Landmark vessels including the CHARLES W. MORGAN, the last wooden whaling ship in the world; the LA DUNTON, one of the few remaining fishing schooners of its era; the SABINO, one of the last coal-fired, steam ships still in operation; and the EMMA C. BERRY, an 1866 wooden fishing vessel;

Whereas Mystic Seaport also maintains the largest collection of watercraft in the nation with more than 500 vessels representing sail, oar, paddle and engine-powered boats spanning 2 centuries of history;

Whereas Mystic Seaport also features the Henry B. duPont Preservation Shipyard as a live working facility that showcases and interprets the art of shipbuilding and restoration, including the restoration of its iconic National Historic Landmark vessels;

Whereas Mystic Seaport put the Preservation Shipyard to its highest and best use in replicating the schooner AMISTAD in full public view, demonstrating its claim that Mystic Seaport is the only museum in the world that can build a large wooden vessel from the keel up and launch it as part of a comprehensive museum experience;

Whereas the Collections Research Center of Mystic Seaport houses 75,000 maritime artifacts, more than one million photographs, and 1.5 million feet of film, and is a dynamic national maritime research facility;

Whereas the G.W. Blunt White Library is one of the largest and most thoroughly catalogued and accessible collections of marine and maritime research material in the world;

Whereas Mystic Seaport also features a representative 19th-century New England coastal village featuring skilled tradesmen and live interpretation to engage, educate, and entertain its visitors;

Whereas Mystic Seaport maintains educational and outreach programs for all levels including accredited graduate and undergraduate programs through the Munson Institute and Williams-Mystic, the cooperative Maritime Studies Program of Williams College and Mystic Seaport;

Whereas Mystic Seaport continues to attract more than 300,000 visitors each year and millions of other individuals through its interactive internet web site, demonstrating its role as a vital cultural and educational center;

Whereas more than 1,500 volunteers each year assist 300 professional and support staff in preserving and interpreting the collections of the Mystic Seaport and in delivering its unique programs; and

Whereas Mystic Seaport has recently completed a comprehensive self-study and a strategic program and master plan, and has recommitted itself to its mission with an effort to strengthen its endowment and make its programs more cohesive and compelling: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) commemorates Mystic Seaport: the Museum of America and the Sea in recognition of its 75th year and commends the staff, volunteers, and trustees of the Museum and encourages them in their efforts to create greater awareness of America's relationship to the sea and the profound impact of maritime transportation and commerce upon our Nation's economic growth;

(2) supports Mystic Seaport's presentation of our Nation's Merchant Mariners and shipbuilders whose efforts promoted the expansion of maritime transportation and commerce;

(3) asks all Americans to join in celebrating this milestone for Mystic Seaport and its mission of preserving and interpreting the legacy of American maritime transportation and tradition; and

(4) encourages Mystic Seaport in its efforts to secure the future of its collections and programs and supports its efforts to make those programs even more compelling and engaging.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Puerto Rico (Mr. Fortuño) and the gentlewoman from California (Ms. MILLENDER-MCDONALD) each will control 20 minutes.

The Chair recognizes the gentleman from Puerto Rico (Mr. Fortuño).

GENERAL LEAVE

Mr. FORTUÑO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 152.

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

There was no objection.

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

Mr. Speaker, H. Con. Res. 152 was introduced by my colleague, the gentleman from Connecticut (Mr. SIMMONS), and commemorates Mystic Seaport, the Museum of America and the Sea, in recognition of its 75th year. Mystic Seaport was founded in 1929 to preserve, protect, and honor the legacy of America's great tradition and culture.

Mystic Seaport is the largest maritime museum and fourth largest history museum in the Nation and attracts more than 300,000 visitors annually.

The mission of Mystic Seaport is to create a greater awareness and deeper appreciation of America's relationship to the sea and to highlight the impact of that relationship upon us as individuals and as a Nation.

Both the gentleman from Connecticut (Mr. SIMMONS) and I represent districts in which maritime activities play an important role in the lives of many of our constituents and are an important part of the history of our States.

I urge my colleagues to support this resolution and join in celebrating this 75-year milestone for Mystic Seaport.

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

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I too rise in support of H. Con. Res. 152 commemorating the 75th anniversary of the Mystic Seaport, Museum of America and the Sea. Many Americans do not appreciate their U.S. maritime history and the legacy of the sea.

The Mystic Seaport Museum was established in 1929 to protect that history and legacy. The Mystic Seaport Museum is the largest and most diverse maritime museum in the United States. Its collections include many types of ships from our past, including a whaling ship, a fishing schooner, a coal-fired steamship, and a wooden shipping vessel built in 1866.

Mystic Seaport is providing a valuable service to our Nation by teaching Americans about our Nation's maritime history, promoting research in their vast collections of artifacts, photographs and books, and conducting outreach programs to students of all ages.

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Therefore, Mr. Speaker, I urge all of my colleagues to support this resolution commemorating the 75th anniversary of Mystic Seaport, and I hope that they will continue their programs to continue to grow and flourish in the years ahead. I urge the adoption of the resolution.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in support of H. Con. Res. 152 which acknowledges the 75th anniversary of Mystic Seaport: the Museum of America and the Sea. This resolution recognizes the efforts of the staff, volunteers, and trustees of the museum in preserving America's great maritime tradition. Mystic Seaport is also one of the jewels of my home state of Connecticut.

Since the 1600's, the Mystic Seaport has been a center for shipbuilding. Between 1784 and 1919, Mystic Seaport contributed more than 600 vessels to the American maritime enterprise. After the advent of steam power and railroads, wooden shipbuilding began to decline. Three Mystic, Connecticut residents, Edward Bradley, Dr. Charles Stillman, and Carl Cutler created the Marine Historical Association on December 29, 1929 to prevent the disappearance of the American maritime tradition. Today, the Marine Historical Association is known as Mystic Seaport: the Museum of America and the Sea. Since the inception of the Mystic Seaport Museum, it has become the largest maritime museum, and the fourth largest history museum in the nation. The Seaport's membership represents 25,000 people from all 50 states and 30 countries. More than 1,500 volunteers assist Mystic Seaport's 300 employees each year.

Mystic Seaport has helped increase awareness and appreciation of America's maritime tradition. The museum features the largest collection of watercraft in the nation, which includes four National Historic Landmark vessels. The vessels include the *Charles W. Morgan,* the last wooden whaling ship in the world, and the *Sabino,* the last coal-fired steam ship still in operation. The Mystic Seaport Museum's Collections Research Center functions as a dynamic resource for maritime research. The G.W. Blunt White Library is one of the leading collections of maritime research material in the world. Recently, the library has assembled a virtual run of the earliest published American ship registers. The Mystic Seaport Museum has made significant contributions in maintaining the cultural integrity of our nation's maritime legacy.

Mystic Seaport was also involved in the construction of a replica of the freedom schooner *Amistad,* which serves as a floating classroom and monument to those who lost their freedom or their lives due to the transatlantic slave trade. I was privileged to attend the launch of the *Amistad* in March 2000 at Mystic Seaport with a delegation from the Congressional Black Caucus.

Mr. Speaker, I ask that my colleagues join me today in honoring Mystic Seaport's role in preserving America's maritime culture. For the past 75 years, Connecticut has been proud to be the home of the Mystic Seaport Museum, which continues to be a vital protector of the Nation's nautical history.

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield back the balance of my time.

Mr. FORTUÑO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time

The SPEAKER pro tempore (Mr. ISSA). The question is on the motion offered by the gentleman from Puerto Rico (Mr. FORTUÑO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 152, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

DELAWARE RIVER PROTECTION ACT OF 2005

Mr. LoBIONDO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1412) to amend the Ports and Waterways Safety Act to require notification of the Coast Guard regarding obstructions to navigation, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1412

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 ''Delaware River Protection Act of 2005''.

SEC. 2. REQUIREMENT TO NOTIFY COAST GUARD OF RELEASE OF OBJECTS INTO THE NAVIGABLE WATERS OF THE UNITED STATES.

The Ports and Waterways Safety Act (33 U.S.C. 1221 et seq.) is amended by adding at the end the following:

''SEC. 15. REQUIREMENT TO NOTIFY COAST GUARD OF RELEASE OF OBJECTS INTO THE NAVIGABLE WATERS OF THE UNITED STATES.

''(a) REQUIREMENT.—As soon as a person has knowledge of any release from a vessel or facility into the navigable waters of the United States of any object that creates an obstruction prohibited under section 10 of the Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899 (chapter 425; 33 U.S.C. 403), such person shall notify the Secretary and the Secretary of the Army of such release.

''(b) RESTRICTION ON USE OF NOTIFICATION.—Any notification provided by an individual in accordance with subsection (a) shall not be used against such individual in any criminal case, except a prosecution for perjury or for giving a false statement.''.

SEC. 3. LIMITS ON LIABILITY.

(a) ADJUSTMENT OF LIABILITY LIMITS.—

(1) TANK VESSELS.—Section 1004(a)(1) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(1)) is amended—

(A) by redesignating subparagraph (B) as subparagraph (C);

(B) by striking subparagraph (A) and inserting the following:

''(A) with respect to a single-hull vessel, including a single-hull vessel fitted with double sides only or a double bottom only—

''(i) $1,550 per gross ton for an incident that occurs in 2005;

''(ii) $1,900 per gross ton for an incident that occurs in 2006; or

''(iii) $2,250 per gross ton for an incident that occurs in 2007 or in any year thereafter; or

''(B) with respect to a double-hull vessel (other than any vessel referred to in subparagraph (A))—

''(i) $1,350 per gross ton for an incident that occurs in 2005;

''(ii) $1,500 per gross ton for an incident that occurs in 2006; and

''(iii) $1,700 per gross ton for any incident that occurs in 2007 or in any year thereafter; or''; and

(C) in subparagraph (C), as redesignated by subparagraph (A) of this paragraph—

(i) in clause (i) by striking ''$10,000,000'' and inserting ''$14,000,000''; and

(ii) in clause (ii) by striking ''$2,000,000'' and inserting ''$2,500,000''.

(2) LIMITATION ON APPLICATION.—In the case of an incident occurring before the date of the enactment of this Act, section 1004(a)(1) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(1)) shall apply as in effect immediately before the effective date of this subsection.

(b) ADJUSTMENT TO REFLECT CONSUMER PRICE INDEX.—Section 1004(d)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(d)(4)) is amended to read as follows:

''(4) ADJUSTMENT TO REFLECT CONSUMER PRICE INDEX.—The President shall, by regulations issued no later than 3 years after the date of the enactment of the Delaware River Protection Act of 2005 and no less than every 3 years thereafter, adjust the limits on liability specified in subsection (a) to reflect significant increases in the Consumer Price Index.''.

SEC. 4. REQUIREMENT TO UPDATE PHILADELPHIA AREA CONTINGENCY PLAN.

The Philadelphia Area Committee established under section 311(j)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)(4)) shall, by not later than 12 months after the date of the enactment of this Act and not less than annually thereafter, review and revise the Philadelphia Area Contingency Plan to include available data and biological information on environmentally sensitive areas of the Delaware River and Delaware Bay that has been collected by Federal and State surveys.

SEC. 5. SUBMERGED OIL REMOVAL.

(a) AMENDMENTS.—Title VII of the Oil Pollution Act of 1990 is amended—

(1) in section 7001(c)(4)(B) (33 U.S.C. 2761(c)(4)(B)) by striking ''RIVERA,'' and inserting ''RIVERA and the T/V ATHOS I;''; and

(2) by adding at the end the following:

''SEC. 7002. SUBMERGED OIL PROGRAM.

''(a) PROGRAM.—

''(1) ESTABLISHMENT.—The Undersecretary of Commerce for Oceans and Atmosphere, in conjunction with the Commandant of the Coast Guard, shall establish a program to detect, monitor, and evaluate the environmental effects of submerged oil. Such program shall include the following elements:

''(A) The development of methods to remove, disperse or otherwise diminish the persistence of submerged oil.

''(B) The development of improved models and capacities for predicting the environmental fate, transport, and effects of submerged oil.

''(C) The development of techniques to detect and monitor submerged oil.

''(2) REPORT.—The Secretary of Commerce shall, no later than 3 years after the date of the enactment of the Delaware River Protection Act of 2005, submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate a report on the activities carried out under this subsection and activities proposed to be carried out under this subsection.

''(3) FUNDING.—There is authorized to be appropriated to the Secretary of Commerce $1,000,000 for each of fiscal years 2006 through 2010 to carry out this subsection.

''(b) DEMONSTRATION PROJECT.—

''(1) REMOVAL OF SUBMERGED OIL.—The Commandant of the Coast Guard, in conjunction with the Undersecretary of Commerce for Oceans and Atmosphere, shall conduct a demonstration project for the purpose of developing and demonstrating technologies and management practices to remove submerged oil from the Delaware River and other navigable waters.

''(2) FUNDING.—There is authorized to be appropriated to the Commandant of the Coast Guard $2,000,000 for each of fiscal years 2006 through 2010 to carry out this subsection.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 2 of such Act is amended by inserting after the item relating to section 7001 the following:

''Sec. 7002. Submerged oil program.''.

SEC. 6. DELAWARE RIVER AND BAY OIL SPILL ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is established the Delaware River and Bay Oil Spill Advisory Committee (in this section referred to as the ''Committee'').

(b) FUNCTIONS.—

(1) IN GENERAL.—The Committee shall, by not later than 1 year after the date the Commandant of the Coast Guard (in this section referred to as the ''Commandant'') completes appointment of the members of the Committee, make recommendations to the Commandant, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate on methods to improve the prevention of and response to future oil spills in the Delaware River and Delaware Bay.

(2) MEETINGS.—The Committee—

(A) shall hold its first meeting not later than 60 days after the completion of the appointment of the members of the Committee; and

(B) shall meet thereafter at the call of the Chairman.

(c) MEMBERSHIP.—The Committee shall consist of 15 members who have particular expertise, knowledge, and experience regarding the transportation, equipment, and techniques that are used to ship cargo and to navigate vessels in the Delaware River and Delaware Bay, as follows:

(1) Three members who are employed by port authorities that oversee operations on the Delaware River or have been selected to represent these entities, of whom—

(A) one member must be an employee or representative of the Port of Wilmington;

(B) one member must be an employee or representative of the South Jersey Port Corporation; and

(C) one member must be an employee or representative of the Philadelphia Regional Port Authority.

(2) Two members who represent organizations that operate tugs or barges that utilize the port facilities on the Delaware River and Delaware Bay.

(3) Two members who represent shipping companies that transport cargo by vessel from ports on the Delaware River and Delaware Bay.

(4) Two members who represent operators of oil refineries on the Delaware River and Delaware Bay.

(5) Two members who represent environmental and conservation interests.

(6) Two members who represent State-licensed pilots who work on the Delaware River and Delaware Bay.

(7) One member who represents labor organizations that load and unload cargo at ports on the Delaware River and Delaware Bay.

(8) One member who represents the general public.

(d) APPOINTMENT OF MEMBERS.—The Commandant shall appoint the members of the Committee, after soliciting nominations by notice published in the Federal Register.

(e) CHAIRMAN AND VICE CHAIRMAN.—The Committee shall elect, by majority vote at its first meeting, one of the members of the Committee as the Chairman and one of the members as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence of or incapacity of the Chairman, or in the event of vacancy in the Office of the Chairman.

(f) PAY AND EXPENSES.—

(1) PROHIBITION ON PAY.—Members of the Committee who are not officers or employees of the United States shall serve without pay. Members of the Committee who are officers or employees of the United States shall receive no additional pay on account of their service on the Committee.

(2) EXPENSES.—While away from their homes or regular places of business, members of the Committee may be allowed travel expenses, including per diem, in lieu of subsistence, as authorized by section 5703 of title 5, United States Code.

(g) TERMINATION.—The Committee shall terminate one year after the completion of the appointment of the members of the Committee.

SEC. 7. MARITIME FIRE AND SAFETY ACTIVITIES.

The Maritime Transportation Security Act of 2002 (Public Law 107–295) is amended—

(1) in section 407—

*(A) in the heading by striking ''**LOWER COLUMBIA RIVER**''; and*

(B) by striking ''$987,400'' and inserting ''$1,500,000''; and

(2) in the table of contents in section 1(b) by striking the item relating to section 407 and inserting the following:

''Sec. 407. Maritime fire and safety activities.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. LOBIONDO) and the gentlewoman from California (Ms. MILLENDER-MCDONALD) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. LOBIONDO).

GENERAL LEAVE

Mr. LOBIONDO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1412.

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

There was no objection.

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

Mr. Speaker, H.R. 1412, the Delaware River Protection Act, makes several amendments to current law to enhance the Coast Guard's and the Federal Government's capability to prevent and respond to future oil spills in U.S. waters.

On November 26 of 2004, the ATHOS I struck a submerged object and released more than 260,000 gallons of heavy crude oil into the Delaware River. I commend the excellent work of the Coast Guard, in cooperation with other Federal and State agencies, to minimize the impact of the spill. However, this incident has brought several issues to light that are needed to enhance our capabilities to prevent and to respond to future oil spills.

Mr. Speaker, H.R. 1412 would require persons to notify the Coast Guard in the event that an object is released into U.S. waters that could cause the obstruction to navigation or, in the case of the ATHOS I, rip open the bottom of a ship. Mr. Speaker, let me give an example of why this provision is necessary. Under current regulations, an individual must report the creation of an obstruction only when the obstruction is caused by a sunken vessel. In other words, you must notify the Coast Guard when a vessel, whether a dinghy or a cruise ship, is sunk in a navigable waterway, but you need not report the loss of a large object such as a 7-foot anchor which, in this case, ripped the hull of the ATHOS I.

The notification requirement included in this bill will provide the Coast Guard with the information necessary to mark the location of potential obstructions on nautical charts until those obstructions can be removed. This provision will improve maritime safety and will protect the environment and economies of our local communities by further preventing similar mishaps in the future.

H.R. 1412 also directs the President to adjust liability limits for vessel owners to reflect changes in the Consumer Price Index since 1990 and establishes a research program to develop and test technologies to detect and remove submerged oil from our waterways.

This bill will provide the Federal Government with authorities that will

enhance our capabilities to prevent and respond to future oil spills in U.S. waters. I would like to thank my colleagues, the gentleman from New Jersey (Mr. SAXTON), the gentleman from New Jersey (Mr. ANDREWS), the gentleman from Delaware (Mr. CASTLE), and the gentlewoman from Pennsylvania (Ms. SCHWARTZ), for their help, participation, and cosponsoring this bill.

I urge the House to support H.R. 1412.

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

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1412, the Delaware River Protection Act of 2005. On November 26, 2004, the tanker ATHOS I hit a piece of pipe and an anchor that had been dumped into the Delaware River, spilling oil into the Delaware River near Paulsboro, New Jersey. The Coast Guard immediately began coordinating the response to this large spill.

On January 18, 2005, the Subcommittee on Coast Guard and Maritime Transportation conducted a field hearing in Philadelphia to see what policy changes should be made to help prevent this type of accident from happening again. H.R. 1412 was written as a result of that hearing.

No one seems to know where the pipe and anchor came from that the ATHOS I hit, but H.R. 1412 will require a person to notify the Coast Guard and the Army Corps of Engineers if they know of any object that has been dumped into the water that creates an obstruction to navigation.

As the gentlewoman from Pennsylvania (Ms. SCHWARTZ) pointed out at the hearing, the limit of liability of tank vessel owners has not been increased since the Oil Pollution Act of 1990 was enacted in response to the Exxon Valdez. OPA granted the Coast Guard the authority to increase the limits of liability for tank vessel owners based on the increase in the Consumer Price Index. However, they have never increased those limits. H.R. 1412 will increase the liability limits for oil spills up to a more modern amount and require these amounts to be adjusted not less than every 3 years.

One of the significant problems facing the agencies trying to clean up this spill is the fact that much of the heavy oil is sitting on the bottom of the river. H.R. 1412 will establish a program to monitor and evaluate the environmental effects of submerged oil.

H.R. 1412 also establishes the Delaware River and Bay Oil Spill Advisory Committee to make recommendations on methodologies to improve the prevention and response to future oil spills on the Delaware River and Delaware Bay.

I would like to thank the gentleman from New Jersey (Chairman LOBIONDO) for the bipartisan approach that he has used to develop this legislation, and I urge my colleagues to support the enactment of H.R. 1412, the Delaware River Protection Act of 2005.

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

Mr. LOBIONDO. Mr. Speaker, I yield 5 minutes to the gentleman from Delaware (Mr. CASTLE), and I thank him again for his participation and help.

Mr. CASTLE. Mr. Speaker, I do rise in support of this important legislation, and I thank the gentleman from New Jersey (Mr. LOBIONDO) for working on this bill for the past several months. He has worked extraordinarily hard on it and deserves a lot of credit. As chairman of the Subcommittee on Coast Guard and Maritime Transportation, he is a fierce defender of our environmental resources, and specifically the Delaware River; and we all appreciate it in that neck of the woods.

I do share his goal of protecting the viability of the Delaware River as a valued environmental resource, and I also believe that the commerce channel is a top priority for the surrounding States.

Last November, a tragic oil spill, which has been referred to by the previous speakers, in the Delaware River set off a course of events which has led to the important legislation here before us today, the Delaware River Protection Act. Beginning with a congressional hearing in January, it has been a top priority to not only address the cleanup of the oil spill but how we can look to the future. One clear outcome is prevention, working together as a region to learn from this accident.

The gentleman from New Jersey (Chairman LOBIONDO) has worked hard to draft legislation that I believe will make a real difference in protecting the Delaware River from another spill and in protecting the Delaware River as a valued natural resource.

I support the bill, which will establish the Delaware River and Bay Oil Spill Advisory Committee. A regional committee will be paramount to addressing issues facing the Delaware River, both environmental and industrial, and will serve as a sounding board for issues concerning the Delaware River.

Some of the committee's responsibilities will include developing recommendations for Congress on the prevention of and response to future oil spills on the Delaware River and bay; reporting to Congress regarding important issues affecting the health of the Delaware River, while ensuring that there is a balanced approach to the issues.

The committee will be made up of appointed experts in many different areas, from the operators of oil refineries to environmental advocates. As a result, this committee will be able to examine the breadth of issues facing the river. The recommendations need not be unanimous, allowing representation of transparent and likely divergent viewpoints.

In the coming years, our States will face numerous proposed industrial and government activities that have potential safety, environmental, and economic consequences. This bill will help our region to be prepared and assure that important steps are taken to preserve the Delaware River.

Again, I thank the gentleman from New Jersey (Mr. LOBIONDO) and the others who worked on this, and I sincerely encourage my colleagues' support for this legislation. I hope that, with the cooperation of the Senate, this will become law shortly to protect the Delaware River.

Mr. LOBIONDO. Mr. Speaker, I am pleased to yield 5 minutes to the gentlewoman from Pennsylvania (Ms. SCHWARTZ) and again thank her for her participation.

Mr. SCHWARTZ of Pennsylvania. Mr. Speaker, I appreciate the efforts of the gentleman from New Jersey (Mr. LOBIONDO) and the opportunity to make a few remarks on this legislation.

On November 26, 2004, the ATHOS I oil tanker struck a submerged object near Paulsboro, New Jersey, and spilled 265,000 gallons of oil into the Delaware River. The spill, the largest to occur in the Delaware River in the last 16 years, struck at the heart of our region, occurring in the Port of Philadelphia.

Two months after the spill, on my 15th day as a Member of Congress, my 15th day on the job, the gentleman from New Jersey (Mr. LOBIONDO) convened a hearing in Philadelphia to examine the damage of the spill, the ongoing cleanup effort, and what else might be needed to be done, either now or in the future. I appreciated the chairman's willingness to have me participate in that hearing as a very new member of the Committee on Transportation and Infrastructure.

We all found, and we heard from the testimony, that this spill had caused millions of dollars in damages and affected more than 100 miles of shoreline in three States. Moreover, it impeded trade, temporarily shut down a nuclear power plant, put area drinking water at risk, and injured and killed wildlife. Unfortunately, many regional environmental experts testified that the impact of the oil spill would continue to linger, further damaging critical species such as oysters and horseshoe crabs. The devastating multiplier effect of the spill and the expert testimonies made clear that action was needed, not just for the cleanup, but for prevention.

As a consequence of what we found, the gentleman from New Jersey (Mr. LOBIONDO), the gentleman from Delaware (Mr. CASTLE), the gentleman from New Jersey (Mr. ANDREWS), and the gentleman from New Jersey (Mr. SAXTON) and I coauthored this bill, a bill that would protect the environmental integrity and economic vitality of the Delaware River and the greater Philadelphia area.

Mr. Speaker, the Delaware River Protection Act will take several very important steps to help prevent future oil

spills. It will require mandatory reporting to the Coast Guard of overboard objects in order to facilitate their recovery and will impose civil or criminal penalties for those who fail to give prompt notification. It will encourage shippers to use double-hull tankers, which are safer and less susceptible to the damage caused by the single hull tankers. It will hold shippers accountable for damages caused by a spill by phasing in an increased liability standard, the first increase since 1990. And it will establish a River and Bay Advisory Committee which will be comprised of representatives from shipping, oil, labor, environment, and the general public to report to Congress on how best to prevent and respond to future incidences along the Delaware River.

I also want to note that in addition to these actions, the Water Resources Development Act, which will be considered by the full House later this week, includes a key provision that was originally part of this legislation. Specifically, it will provide the Army Corps of Engineers with the authority to remove debris along the Delaware River, a vital authority as we increase efforts to keep our waterways clear of dangerous debris. It is my hope that the Water Resources Development Act will be received in an equally bipartisan manner.

Mr. Speaker, the Delaware River Protection Act represents a true collaborative effort. I want to thank the gentleman from New Jersey (Mr. LOBIONDO) for his leadership on this bill, as well as his office staff, Geoff Gosselin, and the Subcommittee on Coast Guard and Maritime Transportation staff John Cullather, Eric Nagel and John Rayfield for their hard work on this important issue and working so closely with my staff.

Undoubtedly, implementation of this legislation will help to prevent future oil spills along the river, while also preserving the Port of Philadelphia as the regional resource that it is. That is why I urge my colleagues to support passage of this legislation.

□ 1530

Mr. LOBIONDO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ISSA). The question is on the motion offered by the gentleman from New Jersey (Mr. LOBIONDO) that the House suspend the rules and pass the bill, H.R. 1412, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SAND CREEK MASSACRE NATIONAL HISTORIC SITE TRUST ACT OF 2005

Mr. FORTUÑO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 481) to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000, as amended.

The Clerk read as follows:

H.R. 481

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 ''Sand Creek Massacre National Historic Site Trust Act of 2005''.

SEC. 2. DEFINITIONS.

In this Act:

(1) FACILITY.—The term ''facility'' means any structure, utility, road, or sign constructed on the trust property on or after the date of enactment of this Act.

(2) IMPROVEMENT.—The term ''improvement'' means—

(A) a 1,625 square foot 1-story ranch house, built in 1952, located in the SW quarter of sec. 30, T. 17 S., R. 45 W., sixth principal meridian;

(B) a 3,600 square foot metal-constructed shop building, built in 1975, located in the SW quarter of sec. 30, T. 17 S., R. 45 W., sixth principal meridian;

(C) a livestock corral and shelter; and

(D) a water system and wastewater system with all associated utility connections.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) TRIBE.—The term ''Tribe'' means the Cheyenne and Arapaho Tribes of Oklahoma, a federally recognized Indian tribe.

(5) TRUST PROPERTY.—The term ''trust property'' means the real property, including rights to all minerals, and excluding the improvements, formerly known as the ''Dawson Ranch'', consisting of approximately 1,465 total acres presently under the jurisdiction of the Tribe, situated within Kiowa County, Colorado, and more particularly described as follows:

(A) The portion of sec. 24, T. 17 S., R. 46 W., sixth principal meridian, that is the Eastern half of the NW quarter, the SW quarter of the NE quarter, the NW quarter of the SE quarter, sixth principal meridian.

(B) All of sec. 25, T. 17 S., R. 46 W., sixth principal meridian.

(C) All of sec. 30, T. 17 S., R. 45 W., sixth principal meridian.

SEC. 3. CONVEYANCE OF LAND TO BE HELD IN TRUST FOR THE CHEYENNE AND ARAPAHO TRIBES OF OKLAHOMA.

(a) LAND HELD IN TRUST FOR THE CHEYENNE AND ARAPAHO TRIBES OF OKLAHOMA.—On conveyance of title to the trust property by the Tribe to the United States, without any further action by the Secretary, the trust property shall be held in trust for the benefit of the Tribe.

(b) TRUST.—All right, title, and interest of the United States in and to the trust property, except any facilities constructed under section 4(b), are declared to be held by the United States in trust for the Tribe.

SEC. 4. IMPROVEMENTS AND FACILITIES.

(a) IMPROVEMENTS.—The Secretary may acquire by donation the improvements in fee.

(b) FACILITIES.—

(1) IN GENERAL.—The Secretary may construct a facility on the trust property only after consulting with, soliciting advice from, and obtaining the agreement of, the Tribe, the Northern Cheyenne Tribe, and the Northern Arapaho Tribe.

(2) OWNERSHIP.—Facilities constructed with Federal funds or funds donated to the United States shall be owned in fee by the United States.

(c) FEDERAL FUNDS.—For the purposes of the construction, maintenance, or demolition of improvements or facilities, Federal funds shall be expended only on improvements or facilities that are owned in fee by the United States.

SEC. 5. SURVEY OF BOUNDARY LINE; PUBLICATION OF DESCRIPTION.

(a) SURVEY OF BOUNDARY LINE.—To accurately establish the boundary of the trust property, not later than 180 days after the date of enactment of this Act, the Secretary shall cause a survey to be conducted by the Office of Cadastral Survey of the Bureau of Land Management of the boundary lines described in section 2(5).

(b) PUBLICATION OF LAND DESCRIPTION.—

(1) IN GENERAL.—On completion of the survey under subsection (a), and acceptance of the survey by the representatives of the Tribe, the Secretary shall cause the full metes and bounds description of the lines, with a full and accurate description of the trust property, to be published in the Federal Register.

(2) EFFECT.—The description shall, on publication, constitute the official description of the trust property.

SEC. 6. ADMINISTRATION OF TRUST PROPERTY.

(a) IN GENERAL.—The trust property shall be administered in perpetuity by the Secretary as part of the Sand Creek Massacre National Historic Site, only for historical, traditional, cultural, and other uses in accordance with the Sand Creek Massacre National Historic Site Establishment Act of 2000 (16 U.S.C. 461 note; Public Law 106–465).

(b) ACCESS FOR ADMINISTRATION.—For purposes of administration, the Secretary shall have access to the trust property, improvements, and facilities as necessary for management of the Sand Creek Massacre National Historic Site in accordance with the Sand Creek Massacre National Historic Site Establishment Act of 2000 (16 U.S.C. 461 note; Public Law 106–465).

(c) DUTY OF THE SECRETARY.—The Secretary shall take such action as is necessary to ensure that the trust property is used only in accordance with this section.

(d) SAVINGS PROVISION.—Nothing in this Act supersedes the laws and policies governing units of the National Park System.

SEC. 7. ACQUISITION OF PROPERTY.

Section 6(a)(2) of the Sand Creek Massacre National Historic Site Establishment Act of 2000 (16 U.S.C. 461 note; Public Law 106–465) is amended by inserting ''or exchange'' after ''only by donation''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Puerto Rico (Mr. FORTUÑO) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from Puerto Rico (Mr. FORTUÑO).

GENERAL LEAVE

Mr. FORTUÑO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 481, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 481, introduced by the gentlewoman from Colorado (Mrs. MUSGRAVE) would authorize the Secretary of the Interior to hold 1,465 acres in trust, thereby allowing the National Park Service to formally establish the Sand Creek Massacre National Historic Site. The Park Service has worked in partnership with the State of Colorado, the Cheyenne tribe, and the Arapaho tribe to establish this site which was originally authorized in 2000

and recognizes the national significance of the Sand Creek Massacre in American History.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, as the majority has explained, H.R. 481 will further the purposes of the Sand Creek Massacre National Historic Site by enabling a significant parcel of land to be added to the site.

The Sand Creek Massacre National Historic Site was authorized in 2000 to preserve, commemorate and interpret the location of the 1864 massacre of Cheyenne and Arapaho people camped along the banks of the Big Sandy Creek in southeastern Colorado. The effort to establish the historic site has been a cooperative one. The inclusion of the land authorized by H.R. 481 will be a significant step leading to the formal establishment of the site by the Secretary of the Interior.

Mr. Speaker, H.R. 481 will help advance the preservation and interpretation of the Sand Creek Massacre National Historic Site and we support adoption of the legislation by the House today.

Mr. Speaker, let me thank the staff of the Resources Committee, both the minority and majority staff, and especially Rick Healy, who worked diligently on this bill.

Mrs. MUSGRAVE. Mr. Speaker, I am pleased, to offer my bill H.R. 481, the Sand Creek Massacre National Historic Site Act. I want to thank Chairman POMBO of the Committee on Resources for the expeditious way in which this bill moved through committee and onto the floor.

This bill is not only important to the Cheyenne and Arapaho Indian tribes, the citizens of the 4th district of Colorado and the entire state, but it is also important to help secure a permanent reminder in America of the tragic event that forever altered the course of Western frontier history.

On November 29, 1864,700 Colorado Volunteers commanded by Colonel John Chivington attacked a village of Cheyenne and Arapaho Indians who were camped along Big Sandy Creek in what is now Kiowa County, Colorado—part of the district that I represent today. More than 150 Indian people were killed in the attack, the majority of whom were woman and children. This event is now known as the Sand Creek Massacre.

On March 13, 1865, this event was addressed in Congress by the Joint Committee on the Conduct of the War. Today, 141 years after the Massacre and 140 years after the first congressional hearings, Congress is again discussing this tragedy. This time we are here to honor the victims and preserve a historic parcel of land in Southeastern Colorado where this event took place.

In 1998, Congress authorized a study to investigate the suitability and feasibility of designating the Sand Creek Massacre National Historic Site in the State of Colorado as a unit of the National Park System. In November 2000, after the completion of the site location study, Congress passed the Sand Creek Massacre National Historic Site Establishment Act. This Act instructs the Secretary of the Interior to establish the Sand Creek Massacre National Historic Site as a unit of the National Park System once sufficient land is acquired to interpret and commemorate the massacre.

Today, we consider H.R. 481, to place 1,465 acres of tribally owned land inside the Sand Creek Massacre National Historic Site boundary into Tribal Trust. This would allow the Cheyenne and Arapaho tribal property within the Historic Site to be managed by the National Park Service in partnership with the Northern and Southern Cheyenne and Arapaho Tribes and consistent with the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000.

The passage of H.R. 481 is an important step in establishing this National Historic Site. With passage of this bill, the National Park Service would be given management responsibility over an additional 1,465 acres and would bring the total acreage of the managed site to almost 2,400 acres. Many involved in this project believe the addition of 1,465 highly important acres to the Park Service's previous holdings will amount to a ''sufficient portion'' to complete the establishment of this National Historic Site. When the Secretary of Interior finally designates this site an official National Historic Site, the Northern and Southern Cheyenne and Arapaho Tribes, the State of Colorado, Kiowa County and other stakeholders can begin the planning necessary to open this massacre site to the public.

I truly believe my bill will help heal the wounds of the past. I ask for the support of my colleagues on this bill.

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of this bill. I congratulate my Colorado colleague, Mrs. MUSGRAVE, for introducing it and thank the leadership of the Resources Committee for making it possible for the House to consider it today.

Enactment of the bill is a vital step toward formal establishment of the Sand Creek National Historic Site, as authorized in 2000 by Public Law 106–465.

The purpose of the Historic Site will be to recognize the national significance of what we now recognize as a permanent stain on the history of our State of Colorado—the San Creek massacre—and its ongoing significance to the Cheyenne and Arapaho people and descendants of the massacre victims.

The Act authorizes establishment of the national historic site once the National Park Service has acquired sufficient land to preserve, commemorate, and interpret the massacre site.

The National Park Service has acquired approximately 920 acres, but the majority of land within the authorized boundary is privately owned and is not open to the public. The National Park Service has been working in partnership with the Cheyenne and Arapaho Tribes and the State of Colorado towards establishment of the Sand Creek Massacre National Historic Site.

This bill will authorize the Cheyenne and Arapaho Tribes of Oklahoma to convey approximately 1,465 acres to the Secretary of the Interior to be held in trust for the tribes. Once these lands are conveyed, the National Park Service will be able to formally establish the Sand Creek Massacre National Historic Site.

Sand Creek was the site of an attack with terrible and long-lasting effects. Its history speaks to what can happen when military force is misused for political purposes.

The leader of the attack was John M. Chivington, who earlier had been hailed as the hero of the battle at La Glorieta Pass—sometimes called the ''Gettysburg of the West—which ended the efforts of the Confederacy to seize New Mexico and other western territories.

As history records, Chivington seemed destined for even greater prominence. He was a leading advocate of quick statehood for Colorado, and spoken of as a likely candidate for Congress. At the same time, tensions between Colorado's growing white population and the Cheyenne Indians reached a feverish pitch. The Denver newspaper printed a frontpage editorial advocating the ''extermination of the red devils'' and urging its readers to ''take a few months off and dedicate that time to wiping out the Indians.'' Chivington took advantage of this public mood, attacking the territorial governor and others who counseled a policy of conciliation and treaty-making with the Cheyenne.

Finally, during the early morning hours of November 29, 1864, he led a regiment of Colorado Volunteers to where the band led by Black Kettle, a well-known ''peace'' chief, was encamped. Federal army officers had promised Black Kettle safety if he would return to this location, and he was in fact flying the American flag and a white flag of truce over his lodge, but Chivington ordered an attack on the unsuspecting village nonetheless.

After hours of fighting, the Colorado volunteers had lost only 9 men in the process of murdering between 200 and 400 Cheyenne, most of them women and children. After the slaughter, they scalped and sexually mutilated many of the bodies, later exhibiting their trophies to cheering crowds in Denver.

Chivington was at first widely praised for the ''battle'' at Sand Creek, and honored with a widely-attended parade through the streets of Denver.

Attitudes began to change as tales circulated of drunken soldiers butchering unarmed women and children. At first, these rumors seemed confirmed when Chivington arrested six of his men and charged them with cowardice in battle.

But the six, who included Captain Silas Soule, were in fact militia members who had refused to participate in the massacre and now spoke openly of the carnage they had witnessed. Shortly after their arrest, the U.S. Secretary of War ordered the six men released and Congress began preparing for a formal investigation.

Soule himself could not be a witness at any of the investigations, because less than a week after his release he was shot from behind and killed on the streets of Denver.

Although Chivington was eventually brought up on court-martial charges for his involvement in the massacre, he was no longer in the U.S. Army and could therefore not be punished. No criminal charges were ever filed against him. An Army judge, however, publicly stated that Sand Creek was ''a cowardly and cold-blooded slaughter, sufficient to cover its perpetrators with indelible infamy, and the face of every American with shame and indignation.''

The massacre remains a matter of great historical, cultural and spiritual importance to the Cheyenne and Arapaho Tribes, and is a pivotal event in the history of relations between the Plains Indians and Euro-American settlers.

The effort to establish the Sand Creek National Historic Site was led by former Senator Ben Campbell of Colorado. It has gone through several stages:

The Sand Creek Massacre National Historic Site Study Act (Public Law 105–243) directed the National Park Service, in consultation with the State of Colorado, the Cheyenne and Arapaho Tribes of Oklahoma, the Northern Cheyenne Tribe, and the Northern Arapaho Tribe, to complete two tasks. First, the Act directed the Park Service to "identify the location and extent of the massacre area." Second, the Act directed the Park Service to prepare a report that assessed the national significance of the Sand Creek Massacre site, the suitability and feasibility of designating it as a unit of the National Park System, and a range of alternatives for the management, administration, and protection of the area.

Following completion of these studies, Senator Campbell introduced legislation to authorize the establishment of the Sand Creek Massacre National Historic Site as a unit of the National Park System. Enactment of this bill is an important step toward completing that effort. I urge its approval by the House.

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

Mr. FORTUÑO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Puerto Rico (Mr. FORTUÑO) that the House suspend the rules and pass the bill, H.R. 481, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AUTHORIZING ESTABLISHMENT AT ANTIETAM NATIONAL BATTLEFIELD OF NEW HAMPSHIRE MEMORIAL

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1084) to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1084

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ESTABLISHMENT OF NEW HAMPSHIRE MEMORIAL, ANTIETAM NATIONAL BATTLEFIELD, MARYLAND.

(a) MEMORIAL AUTHORIZED.—The Secretary of the Interior shall authorize the establishment, at a suitable location approved by the Secretary within the boundaries of Antietam National Battlefield, of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862.

(b) AUTHORIZED ENTITY.—The Secretary shall select the persons who will be permitted to establish the memorial authorized by subsection (a).

(c) DESIGN APPROVALS.—The size, design, and inscriptions of the memorial authorized by subsection (a) shall be subject to the approval of the Secretary.

(d) PROHIBITION ON USE OF FEDERAL FUNDS FOR ESTABLISHMENT.—No Federal funds may be expended to design the memorial authorized by subsection (a), to acquire the memorial, to prepare the site selected for the memorial, or to install the memorial.

(e) SUSPENSION FOR MISREPRESENTATION IN FUNDRAISING.—The Secretary may suspend the authority of the persons selected under subsection (b) to establish the memorial authorized by subsection (a) if the Secretary determines that fundraising efforts relating to the memorial have misrepresented an affiliation with the memorial or the Federal Government.

(f) ANNUAL REPORT.—Until the memorial authorized by subsection (a) is installed, the persons selected under subsection (b) to establish the memorial shall submit to the Secretary an annual report of operations related to fundraising efforts for the memorial and progress on the establishment of the memorial.

(g) MAINTENANCE.—Upon installation of the memorial authorized by subsection (a), the Secretary shall assume responsibility for the maintenance of the memorial. The Secretary may accept contributions for the maintenance of the memorial from the persons selected under subsection (b) to establish the memorial and from other persons. Amounts accepted under this subsection shall be merged with other funds available to the Secretary for the maintenance of the memorial and credited to a separate account with the National Park Service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. PEARCE).

GENERAL LEAVE

Mr. PEARCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1084, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, House Resolution 1084 introduced by the gentleman from New Hampshire (Mr. BRADLEY) would authorize the construction of a memorial at the Antietam National Battlefield to members of the New Hampshire Infantry that fought in the Battle of Antietam. The bill directs the Secretary of the Interior to select persons responsible for the establishment of the memorial and prohibits the use of Federal funds in the design, acquisition, preparation, and installation of the memorial. Additionally, the Secretary must approve the size, design, and inscriptions placed on the monument. Once the memorial is in place, the Secretary will accept responsibility for maintenance, but will be permitted to accept donations into a specific account for the New Hampshire memorial.

I urge passage of the bill.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, as the majority has explained, H.R. 1084 authorizes the establishment of a Civil War Memorial to New Hampshire soldiers who fought at the Battle of Antietam in 1862.

Evidently, New Hampshire is the only State that participated in the Battle of Antietam that does not have a memorial to its soldiers at the site. The citizens of New Hampshire are proud of their ancestors' participation in the battle and would like to commemorate their participation.

Mr. Speaker, we have no objection to the adoption of H.R. 1084, as amended, by the House today.

Mr. Speaker, I would like to thank the majority and minority staff of the House Resources Committee, and especially Rick Healy of the Resources Committee, for their diligent work on this bill.

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

Mr. PEARCE. Mr. Speaker, I also thank the staffs from both majority and minority to get this bill through.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 1084, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NATIONAL FISH AND WILDLIFE FOUNDATION REAUTHORIZATION ACT OF 2005

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1428) to authorize appropriations for the National Fish and Wildlife Foundation, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1428

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 ''National Fish and Wildlife Foundation Reauthorization Act of 2005''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 10(a)(1) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(a)(1)) is amended by striking ''fiscal years 2001 through 2005'' and inserting ''fiscal years 2006 through 2010''.

SEC. 3. APPLICATION OF NOTICE REQUIREMENT LIMITED TO GRANTS MADE WITH FEDERAL FUNDS.

Section 4(i) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(i)) is amended by striking ''grant of funds'' and inserting ''grant of Federal funds in an amount greater than $10,000''.

SEC. 4. CLARIFICATION OF AUTHORITY TO USE FEDERAL FUNDS TO MATCH CONTRIBUTIONS MADE TO RECIPIENTS OF NATIONAL FISH AND WILDLIFE FOUNDATION GRANTS.

Section 10(a)(3) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(a)(3)) is amended by inserting '', or to a recipient of a grant provided by the Foundation,'' after ''made to the Foundation''.

SEC. 5. REPEAL.

Effective September 30, 2015, section 10(a)(1) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709(a)(1)) is hereby repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. PEARCE).

GENERAL LEAVE

Mr. PEARCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1428, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I am pleased to support H.R. 1428 introduced by the gentleman from California (Mr. POMBO), the distinguished chairman of the House Resources Committee, which extends the existing authorization levels for the National Fish and Wildlife Foundation.

Since its creation in 1984, the National Fish and Wildlife Foundation has funded more than 6,420 conservation projects. These efforts have been coordinated with more than 1,800 different conservation organizations. The fundamental goal of these projects has been to increase resources for fish and wildlife conservation, develop innovative conservation solutions, respect private property rights, and sustain healthy ecosystems.

Unlike most conservation groups, this organization requires its grantees to sign an agreement stipulating that no Federal funds will be used for lobbying or litigation purposes. Instead of simply talking about conserving critical habitat, the foundation has accomplished that effort by taking their limited Federal dollars, and, through its challenge grant approach, generating over $900 million in private matching funds. This is a remarkable achievement.

H.R. 1428 is a simple, noncontroversial and bipartisan bill. I urge an aye vote.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. As stated by my friend and colleague the gentleman from New Mexico (Mr. PEARCE), the overall purpose of this legislation is to reauthorize the appropriations and to make minor technical and clarifying changes to the National Fish and Wildlife Foundation Establishment Act.

H.R. 1428 will help ensure that this important congressionally chartered foundation continues its successful work in supporting effective on-ground conservation partnerships, not only in my State of New Mexico, but also across the country.

I urge Members to support this noncontroversial bill, and I thank the majority and minority staff of the Resources Committee, and especially Dave Jansen.

Mr. BRADLEY of New Hampshire. Mr. Speaker, I rise today in support of H.R. 1084, a bill I introduced regarding a defining historical event for my State of New Hampshire, and indeed, all of the United States. The American Civil War was the deadliest war in all of American history with casualties totaling more than all other American Wars combined. The bloodiest day of the bloodiest war came on September 17, 1862 just outside the small town of Sharpsburg, Maryland. This battle involved 93,000 men and resulted in 23,000 American casualties on the fields surrounding Antietam Creek. The battle of Antietam, even today, is the single most deadly day in all of American history. Among the soldiers fighting that day were men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery. Unfortunately, these brave men who fought and died in the Battle of Antietam do not have a marker on the field to signify their sacrifice. Although there are over 400 monuments, tablets and markers on the field of battle, none are dedicated to the brave men who fought and died that early fall day. As the 150th anniversary of the Civil War is approaching, I ask that the House help correct an unfortunate oversight and bring deserving recognition to these soldiers.

In this effort, Congressman BASS and I have introduced H.R. 1084, which would authorize the establishment of a Memorial at Antietam National Battlefield for the New Hampshire soldiers who fought in the historic battle. Importantly, this bill does not authorize any Federal appropriations, nor require any local municipality in Maryland to help finance the costs of the construction or maintenance of the monument. Any monument built and maintained at the Antietam National Battlefield Park would be entirely paid for by private sources. Additionally, the design, size, and location of any monument authorized under this bill would be at the total discretion of the Secretary of the Interior and any proposals that do not meet their desires may be rejected. Citizens of New Hampshire have passionately expressed to me, through both direct conversations as well as State passed legislation, that they would relish the opportunity to at last place a deserving monument on the battleground at Antietam.

In closing, I would like to call to mind an excerpt from a report issued by a correspondent of the Manchester Daily Mirror on September 20, 1862, three days after the horrific battle:

> For two hours there was never sharper musketry heard or seen, and New Hampshire blood flowed freely in the contest. The Ninth suffered terribly but never flinched, and every man stood before the awful carnage without one thought of yielding.

Mr. Speaker, these men exemplified the steadfast bravery that is a hallmark of American soldiers across generations. On behalf of the citizens of New Hampshire, I ask for the assistance of the House in helping to furnish a proper monument to these commendable Americans.

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

Mr. PEARCE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 1428, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NATIONAL GEOLOGIC MAPPING REAUTHORIZATION ACT OF 2005

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2362) to reauthorize and amend the National Geologic Mapping Act of 1992, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Geologic Mapping Reauthorization Act of 2005''.

SEC. 2. AMENDMENT REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to such section or other provision of the National Geologic Mapping Act of 1992 (43 U.S.C. 31a et seq.).

SEC. 3. FINDINGS.

Section 2(a) (43 U.S.C. 31a(a)) is amended as follows:

(1) By striking paragraph (1) and inserting the following:

''(1) although significant progress has been made in the production of geologic maps

since the establishment of the National Cooperative Geologic Mapping Program in 1992, no modern, digital, geologic map exists for approximately 75 percent of the Nation;''.

(2) Paragraph (2) is amended—

(A) in subparagraph (C) by inserting ''homeland and'' after ''planning for'';

(B) in subparagraph (E) by striking ''predicting'' and inserting ''identifying'';

(C) by striking ''and'' after the semicolon at the end of subparagraph (I);

(D) by redesignating subparagraph (J) as subparagraph (K); and

(E) by inserting after subparagraph (I) the following:

''(J) recreation and public awareness; and''.

(3) Paragraph (9) is amended by striking ''important'' and inserting ''available''.

SEC. 4. PURPOSE.

Section 2(b) (43 U.S.C. 31a(b)) is amended by striking ''protection'' and inserting ''management''.

SEC. 5. DEADLINES FOR ACTIONS BY THE UNITED STATES GEOLOGICAL SURVEY.

Section 4(b)(1) (43 U.S.C. 31c(b)(1)) is amended—

(1) in subparagraph (A) by striking ''not later than'' and all that follows through the semicolon and inserting ''not later than one year after the date of the enactment of the National Geologic Mapping Reauthorization Act of 2005;'';

(2) in subparagraph (B) by striking ''not later than'' and all that follows through ''in accordance'' and inserting ''not later than one year after the date of the enactment of the National Geologic Mapping Reauthorization Act of 2005 in accordance''; and

(3) in subparagraph (C) in the matter preceding clause (i) by striking ''not later than'' and all that follows through ''submit'' and inserting ''submit biennially''.

SEC. 6. GEOLOGIC MAPPING PROGRAM OBJECTIVES.

Section 4(c)(2) (43 U.S.C. 31c(c)(2)) is amended—

(1) by striking ''geophysical-map data base, geochemical-map data base, and a''; and

(2) by striking ''provide'' and inserting ''provides''.

SEC. 7. GEOLOGIC MAPPING PROGRAM COMPONENTS.

Section 4(d)(1)(B)(ii) (43 U.S.C. 31c(d)(1)(B)(ii)) is amended—

(1) by striking ''and'' after the semicolon at the end of subclause (I);

(2) by striking the period at the end of subclause (II) and inserting ''; and''; and

(3) by adding at the end the following:

''(III) the needs of Department of the Interior land management agencies.''.

SEC. 8. GEOLOGIC MAPPING ADVISORY COMMITTEE.

Section 5(a) (43 U.S.C. 31d(a)) is amended—

(1) in paragraph (2)—

(A) by striking ''Administrator of the Environmental Protection Agency or a designee'' and inserting ''Secretary of the Interior or a designee from a land management agency of the Department of the Interior'';

(B) by inserting ''and'' after ''Energy or a designee,''; and

(C) by striking '', and the Assistant to the President for Science and Technology or a designee''; and

(2) in paragraph (3)—

(A) by striking ''Not later than'' and all that follows through ''consultation'' and inserting ''In consultation'';

(B) by striking ''Chief Geologist, as Chairman'' and inserting ''Associate Director for Geology, as Chair''; and

(C) by striking ''one representative from the private sector'' and inserting ''two representatives from the private sector''.

SEC. 9. FUNCTIONS OF NATIONAL GEOLOGIC MAP DATABASE.

Section 7(a) (43 U.S.C. 31f(a)) is amended—

(1) in paragraph (1) by striking ''geologic map'' and inserting ''geologic-map''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A) by inserting ''information on how to obtain'' after ''that includes''; and

(B) in subparagraph (A) by striking ''under the Federal component and the education component'' and inserting ''with funding provided under the national cooperative geologic mapping program authorized by section 4(a)''.

SEC. 10. BIENNIAL REPORT.

Section 8 (43 U.S.C. 31g) is amended by striking ''Not later'' and all that follows through ''biennially'' and inserting ''Not later than 3 years after the date of the enactment of the National Geologic Mapping Reauthorization Act of 2005 and biennially''.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS; ALLOCATION.

Section 9 (43 U.S.C. 31h) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $64,000,000 for each of fiscal years 2006 through 2010.''; and

(2) in subsection (b)—

(A) by striking ''2000'' and inserting ''2005'';

(B) by striking ''48'' and inserting ''50''; and

(C) by striking ''2'' and inserting ''4''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. PEARCE).

GENERAL LEAVE

Mr. PEARCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2362, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I am pleased to rise in support of H.R. 2362, a bill to reauthorize and amend the National Geologic Mapping Act of 1992, introduced by the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from Wyoming (Mrs. CUBIN).

Geologic maps are important in identifying the Nation's water, energy, and mineral resources. Knowing where our resources are located is important in developing a sound national energy and minerals program that will allow us to become more energy independent, providing for a stronger, more secure economy and homeland.

I urge my colleagues to join me in supporting this important legislation that gets real results by producing new geologic maps on an annual basis.

I urge adoption of the bill.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, as my friend and colleague the gentleman from New Mexico (Mr. PEARCE) has stated, H.R. 2362 would reauthorize the Geologic Mapping Act of 1992.

The U.S. Geological Survey and the State geological authorities carry out the geologic mapping program jointly. Under this program, Federal and State geologists develop comprehensive geological maps of the United States and a related database of environmental and scientific information.

The mapping program contributes significantly to our understanding of geologic information such as the distribution of mineral energy and groundwater resources.

Mr. Speaker, we should support H.R. 2362 and I urge its passage.

I would also at this time like to thank the entire Resources staff, including especially Debra Lanzone.

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

Mr. PEARCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Speaker, I would like to thank the gentleman from New Mexico (Mr. PEARCE) and also the gentleman from New Mexico (Mr. UDALL), for allowing me time to speak on this very important bill which I introduced along with my very good friend and colleague the gentlewoman from Wyoming (Mrs. CUBIN).

H.R. 2362 demonstrates a commitment, a commitment by not only this body, but by our country, to provide timely geologic information in a digital format to a variety of users, including our county health departments, State environmental agencies, Federal agencies, and even the private sector, Mr. Speaker. To date, no modern digital geologic map exists for approximately 75 percent of this country.

Geologic mapping has a variety of important uses as we have already heard. And understanding the subsurface soil, geology soil profiles through the use of geologic mapping can facilitate better planning, better planning for a variety of community projects including housing developments, schools and hospitals, septic systems for rural and urban communities and water treatment facilities and the construction of even highways and roadways as well.

Now, siting these types of facilities in appropriate geologic settings is important to avoid or mitigate for geologic hazards such as landslides, earthquakes, subsiding soils or swelling soils, sinkholes, volcanic eruptions and even floodplains.

H.R. 2362 authorizes the cooperative matching grant program between the State geologic surveys and the United States Geologic Survey through the fiscal year 2010.

With that, Mr. Speaker, I would urge all of my colleagues, understanding the

value of this important piece of legislation, to vote in the affirmative for its passage.

□ 1545

Mr. PEARCE. Mr. Speaker, I have no additional requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ISSA). The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 2362, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

UPPER WHITE SALMON WILD AND SCENIC RIVERS ACT

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 38) to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System, as amended.

The Clerk read as follows:

H.R. 38

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 ''Upper White Salmon Wild and Scenic Rivers Act''.

SEC. 2. UPPER WHITE SALMON WILD AND SCENIC RIVER.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''( ) WHITE SALMON RIVER, WASHINGTON.—The 20 miles of river segments of the main stem of the White Salmon River and Cascade Creek, Washington, to be administered by the Secretary of Agriculture in the following classifications:

''(A) The approximately 1.6-mile segment of the main stem of the White Salmon River from the headwaters on Mount Adams in section 17, township 8 north, range 10 east, downstream to the Mount Adams Wilderness boundary as a wild river.

''(B) The approximately 5.1-mile segment of Cascade Creek from its headwaters on Mount Adams in section 10, township 8 north, range 10 east, downstream to the Mount Adams Wilderness boundary as a wild river.

''(C) The approximately 1.5-mile segment of Cascade Creek from the Mount Adams Wilderness boundary downstream to its confluence with the White Salmon River as a scenic river.

''(D) The approximately 11.8-mile segment of the main stem of the White Salmon River from the Mount Adams Wilderness boundary downstream to the Gifford Pinchot National Forest boundary as a scenic river.''.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. PEARCE).

GENERAL LEAVE

Mr. PEARCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 38.

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

There was no objection.

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

Mr. Speaker, H.R. 38, as introduced by the gentleman from Washington (Mr. BAIRD), would designate 20 miles of the Upper White Salmon River as a component of the Wild and Scenic Rivers system.

This legislation would designate four different segments of the Upper White Salmon River and Cascade Creek, totaling 20 miles, as ''wild and scenic.'' The segments are limited to Federal land, located in the Gifford Pinchot National Forest, and include 6.7 miles in the Mt. Adams Wilderness.

This designation is supported by the local community as well as the Forest Service. I urge support for this important measure.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, H.R. 38 designates the main stem of the Upper White Salmon River and Cascade Creek, totaling 20 miles, as a component of the National Wild and Scenic Rivers System. Congress added the lower White Salmon River to the National Wild and Scenic Rivers System in 1986.

The White Salmon River originates in the glaciers of Mt. Adams and flows through south central Washington to the Columbia River. The river is known for its remarkable scenery and abundant wildlife and is popular with white water enthusiasts.

The gentleman from Washington (Mr. BAIRD) should be recognized for his leadership on H.R. 38. My good friend, the gentleman from Washington (Mr. BAIRD), is one of our strong conservation leaders in the Northwest and has worked very hard in showing strong leadership in getting this bill to the point that it is today.

Mr. Speaker, I yield 5 minutes to the gentleman from Washington (Mr. BAIRD), the sponsor of the bill.

Mr. BAIRD. Mr. Speaker, I thank the gentleman from New Mexico (Mr. PEARCE) and my other colleague, the gentleman from New Mexico (Mr. UDALL).

I want to begin by thanking the gentleman from California (Chairman POMBO); the ranking member, the gentleman from West Virginia (Mr. RAHALL) of the Committee on Resources; the gentleman from Oregon (Mr. WALDEN); and the gentleman from New Mexico (Mr. UDALL), the ranking member of the Subcommittee on Forests and Forest Health, for their guidance. And I certainly appreciate the help of their staff throughout this process.

I also want to acknowledge the work of my good friend and colleague, Senator CANTWELL, who has introduced the companion legislation in that Chamber.

A number of people locally in our region deserve credit, including among them Phyllis Clausen of the Friends of the White Salmon River, Connie Kelleher from American Rivers, the SDS Lumber Company, the U.S. Forest Service, and local county commissioners from the region as well. This process has taken several years and represents a true collaborative local effort.

The Upper White Salmon River is literally a world-famous river. Located in south central Washington, it is known for its great white water, stunning scenery, and fish and wildlife resources. The designation before us today will preserve the river's free-flowing status as well as the natural values and rural lifestyle in the surrounding area.

In 1986, the river's outstanding quality received national recognition when Congress designated the lower 8 miles of the White Salmon as a National Wild and Scenic River. Congress directed the Forest Service to study the Upper White Salmon for possible designation into the Wild and Scenic Rivers System.

H.R. 38 seeks to protect 20 miles of Upper White Salmon River segments within the Gifford Pinchot Forest as part of the National Wild and Scenic Rivers System by designating them wild and scenic. This designation has broad public support within the local community and throughout the region. It has been endorsed by a wide variety of environmental and recreational organizations, local community and business leaders.

The land to be designated as wild and scenic consists entirely of public land, no private land is included; the area is currently being managed as if it is already part of the Wild and Scenic Rivers System.

I want to reiterate my gratitude to the gentleman from New Mexico (Mr. UDALL) and the chairman of the overall committee. I thank Members for their support and urge passage of this valuable piece of legislation.

Mr. UDALL of New Mexico. Mr. Speaker, I would like to thank the entire Committee on Resources staff and especially Meghan Conklin for her work on this bill.

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

Mr. PEARCE. Mr. Speaker, I would recognize the staff of both the majority and minority and also congratulate the gentleman from Washington (Mr. BAIRD) on not only his performance in submitting this bill but his stellar performance in the congressional baseball game last Thursday night.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 38, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

TAUNTON, MASSACHUSETTS SPECIAL RESOURCES STUDY ACT

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1512) to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1512

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 ''Taunton, Massachusetts Special Resources Study Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The city of Taunton, Massachusetts, is home to 9 distinct historic districts, with more than 600 properties on the National Register of Historic Places. Included among these districts are the Church Green Historic District, the Courthouse Historic District, the Taunton Green Historic District, and the Reed and Barton Historic District.

(2) All of these districts include buildings and building facades of great historical, cultural, and architectural value.

(3) Taunton Green is the site where the Sons of Liberty first raised the Liberty and Union Flag in 1774, an event that helped to spark a popular movement, culminating in the American Revolution, and Taunton citizens have been among the first to volunteer for America's subsequent wars.

(4) Robert Treat Paine, a citizen of Taunton, and the first Attorney General of Massachusetts, was a signer of the Declaration of Independence.

(5) Taunton was a leading community in the Industrial Revolution, and its industrial area has been the site of many innovations in such industries as silver manufacture, paper manufacture, and ship building.

(6) The landscaping of the Courthouse Green was designed by Frederick Law Olmsted, who also left landscaping ideas and plans for other areas in the city which have great value and interest as historical archives and objects of future study.

(7) Main Street, which connects many of the historic districts, is home to the Taunton City Hall and the Leonard Block building, 2 outstanding examples of early 19th Century American architecture, as well as many other historically and architecturally significant structures.

(8) The city and people of Taunton have preserved many artifacts, gravesites, and important documents dating back to 1638 when Taunton was founded.

(9) Taunton was and continues to be an important destination for immigrants from Europe and other parts of the world who have helped to give Southeastern Massachusetts its unique ethnic character.

SEC. 3. STUDY.

The Secretary, in consultation with the appropriate State historic preservation officers, State historical societies, the city of Taunton, and other appropriate organizations, shall conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System. The study shall be conducted and completed in accordance with section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)) and shall include analysis, documentation, and determinations regarding whether the historic areas in Taunton—

(1) can be managed, curated, interpreted, restored, preserved, and presented as an organic whole under management by the National Park Service or under an alternative management structure;

(2) have an assemblage of natural, historic, and cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use;

(3) reflect traditions, customs, beliefs, and historical events that are valuable parts of the national story;

(4) provide outstanding opportunities to conserve natural, historic, cultural, architectural, or scenic features;

(5) provide outstanding recreational and educational opportunities; and

(6) can be managed by the National Park Service in partnership with residents, business interests, nonprofit organizations, and State and local governments to develop a unit of the National Park System consistent with State and local economic activity.

SEC. 4. REPORT.

Not later than 3 fiscal years after the date on which funds are first made available for this Act, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations of the study required under section 3.

SEC. 5. PRIVATE PROPERTY.

The recommendations in the report submitted pursuant to section 4 shall include discussion and consideration of the concerns expressed by private landowners with respect to designating certain structures referred to in this Act as a unit of the National Park System.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. PEARCE).

GENERAL LEAVE

Mr. PEARCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1512.

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

There was no objection.

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

Mr. Speaker, H.R. 1512, introduced by the gentleman from Massachusetts (Mr. FRANK), would direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas of the City of Taunton, Massachusetts, as a unit of the National Park System. It was in the City of Taunton where the Sons of Liberty first raised the Liberty and Union Flag in 1774, an event that helped to spark the American Revolution.

I urge the adoption of the bill.

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

Mr. UDALL of New Mexico. Mr. Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, the Taunton area to be included in the study authorized by H.R. 1512 is rich in cultural and historic resources. A comprehensive study of these resources will help determine if inclusion within the National Park System is appropriate.

The sponsor of this legislation, the gentleman from Massachusetts (Mr. FRANK), is to be commended for his tenacity and resolve in pursuing this important legislation.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the members of the committee who have brought this bill forward.

This is a bill that has particular meaning to me. The City of Taunton has been in the district I have been privileged to represent for just a couple of years. Prior to that, it was represented by one of our late colleagues; and when you talk about history, which this bill does, building as it does on the history of the City of Taunton, you could not talk about the history of this institution without some reference to the man who represented Taunton before me and that is our late colleague, Joe Moakley.

Joe Moakley represented Taunton for years. He was the one under whose representation the discussion of a national park began. I was privileged to take this over actually from his immediate successor, my colleague, the gentleman from Massachusetts (Mr. LYNCH). It is on behalf of both of us that we present this, and we do want to invoke the memory of Joe Moakley when we go forward with this bill.

The City of Taunton, Massachusetts, is a wonderful place. I am lucky enough to have one of my congressional district offices right in the heart of this area. I have checked and I do not believe I will derive any particular benefit from it, so I do not have to vote ''present'' on the bill. What I do have is a chance right now to really be a part of this great history.

The Sons of Liberty Flag was first raised here. The Sons of Liberty raised

the flag Liberty Union in 1774. There were buildings that played an important role in the Revolution. They were there in Taunton. Taunton Green is a major place in our history. We would include here the Church Green Historic District. It has the Church Green National Register district.

One of the original settlers, and I think this is particularly relevant to talk about, the modern impact of this, Elizabeth Pole was the first woman we believe to found a community in America, and on the seal of the city of Taunton the phrase ''Dux Femina Facti'' is included. That translates, I am reliably informed by better Latin scholars than myself, into ''the person responsible for this was a woman.''

It was in early recognition of what we are still dealing with, namely, that we make a great mistake when we refuse to give individuals the full opportunity to engage their talents, no matter what their gender or whatever other characteristics that they have.

I realize that this does not mean that we get a park immediately. It begins the process of study. I am confident, Mr. Speaker, that an objective study of the sort we get from the excellent staff that we have at the National Park Service will document the importance to the history of this country of this area of Taunton and the importance of making it a part of our National Park System. I thank the two gentlemen from New Mexico for their energy and work in this.

Mr. Speaker, the following is a list of some of the salient points of the City of Taunton.

The city of Taunton has a history of equality, patriotism, commerce and innovation that make the areas ideal candidates for inclusion within the National Park System. The area to be included within the study includes the Church Green Historic District, which includes the Church Green National Register District, Main Street, and the Taunton Green National Register District.

Among the original settlers of Taunton, Elizabeth Pole is credited as being the first female to found a community in America. Her legacy is preserved at the Old Colony Historical Society Museum on Church Green. The role that Elizabeth Pole, a woman, played in founding Taunton is an important aspect of our colonial history that should be emphasized as part of the study. The National Park System has devoted many resources to the role of women in our nation and history. However, no other site presently in the National Park System matches the unique circumstances surrounding Ms. Pole and her role as a pioneering colonial female. The phrase ''Dux femina facti'' which translates into ''the person responsible for the deed or accomplishment was a woman'' adorns the Seal of the City of Taunton.

A statue of Robert Treat Paine symbolically faces away from the Church Green National Registered District down Main Street towards the Taunton Green National Registered District. With the transformation from English colony towards independent nation, the center of the city moved towards the Taunton Green. Robert Treat Paine, a Taunton resident, was as a signer of the Declaration of Independence. He along with John Adams served as members of the First Continental Congress in 1774. Paine and Adams' careers were linked again as Paine served as an Associate Prosecutor at the trial of the Boston Massacre. Paine went on to become the first Attorney General of Massachusetts and was a member of the Massachusetts Supreme Judicial Court. While serving in the Continental Congress in October of 1774, Paine was not a party to the historic event that occurred near his home when the Sons of Liberty raised the ''Liberty & Union'' or ''Taunton Flag'' on October 21, 1774 over Taunton Green on a 112-foot Liberty Pole. The Liberty and Union flag that still flies over the Taunton Green is recognized as the first flag of open defiance to the crown.

In addition to Robert Treat Paine, Taunton's General David Cobb left his mark on the Revolutionary War. General Cobb served as aide-de-camp to General Washington and was entrusted with the duty of negotiating the evacuation of New York. After the war, General Cobb served as Judge of the Court of Common Pleas for Bristol County and was instrumental in preventing bloodshed in Bristol County during Shay's Rebellion.

As such, the history of the revolutionary war as symbolized by Robert Treat Paine, General Cobb, the Sons of Liberty and the Taunton Green are an important component of the study. The distance down Main Street from Church Green to Taunton Green past the homes of Paine and Cobb and Elizabeth Pole to the Liberty & Union Flag are symbolic of our transformation from colony to independent nation.

The anchor for the U.S.S. *Constitution* was forged in Taunton, as was the anchor for the Civil War's *Monitor*. The Taunton River served as a catalyst for industry and trade. At one point, Taunton was one of the busiest inland ports on the Atlantic coast.

The prime industry throughout Taunton history has been silver. To this day Taunton is known by many as the ''Silver City.'' As with Taunton's political, cultural and religious legacy, the silver industry was born on Main Street, between Church Green and Taunton Green. In 1824, Isaac Babbitt invented and manufactured a new alloy that resulted in pewter ware of a greater quality than ever before manufactured. Two employees, Henry G. Reed and Charles E. Barton went on to found Reed and Barton, one of the oldest privately held companies in the nation and set a standard of excellence known throughout the world. The standards established by Reed & Barton are evident to this day; in 1994 Reed & Barton was selected to produce all of the victory medals for the 1996 Atlanta Olympic Games.

Mr. UDALL of New Mexico. Mr. Speaker, I would like to thank the entire staff of the Committee on Resources, especially Dave Watkins, for their work on this bill.

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

Mr. PEARCE. Mr. Speaker, I thank the staff, both majority and minority; and I thank the gentleman from Massachusetts (Mr. FRANK) for submitting this valuable legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 1512, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HONORING UNITED STATES AIR FORCE MEMBERS KILLED IN KHOBAR TOWERS BOMBING

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 188) honoring the members of the United States Air Force who were killed in the June 25, 1996, terrorist bombing of the Khobar Towers United States military housing compound near Dhahran, Saudi Arabia.

The Clerk read as follows:

H. CON. RES. 188

Whereas June 25, 2005, marks the ninth anniversary of the terrorist bombing of the Khobar Towers United States military housing compound in Dhahran, Saudi Arabia, on June 25, 1996;

Whereas 19 members of the United States Air Force were killed in the bombing and 300 other Americans were injured;

Whereas the 19 airmen killed while serving their country were Captain Christopher Adams, Staff Sergeant Daniel Cafourek, Sergeant Millard Campbell, Senior Airman Earl Cartrette, Jr., Technical Sergeant Patrick Fennig, Captain Leland Haun, Master Sergeant Michael Heiser, Staff Sergeant Kevin Johnson, Staff Sergeant Ronald King, Master Sergeant Kendall Kitson, Jr., Airman First Class Christopher B. Lester, Airman First Class Brent Marthaler, Airman First Class Brian McVeigh, Airman First Class Peter Morgera, Technical Sergeant Thanh Nguyen, Airman First Class Joseph Rimkus, Senior Airman Jeremy Taylor, Airman First Class Justin Wood, and Airman First Class Joshua Woody;

Whereas the families of these brave airmen still mourn their loss;

Whereas three months after that terrorist bombing, on September 24, 1996, the House of Representatives agreed to House Concurrent Resolution 200 of the 104th Congress, honoring the victims of that terrorist bombing, and on the fifth anniversary of that bombing, on June 25, 2001, the House of Representatives agreed to House Concurrent Resolution 161 of the 107th Congress, concurred in by the Senate on July 12, 2002, further honoring the victims of that bombing;

Whereas those guilty of the attack have yet to be brought to justice; and

Whereas terrorism remains a constant and ever-present threat around the world: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That on the occasion of the ninth anniversary of the terrorist bombing of the Khobar Towers United States military housing compound near Dhahran, Saudi Arabia, the Congress—

(1) recognizes the service and sacrifice of the 19 members of the United States Air Force who died in that attack;

(2) calls upon every American to pause and pay tribute to those brave airmen;

(3) extends its continued sympathies to the families of those who died; and

(4) assures the members of the Armed Forces serving anywhere in the world that their well-being and interests will at all times be given the highest priority.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Arkansas (Mr. SNYDER) each will control 20 minutes.

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

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 188.

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

There was no objection.

□ 1600

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume

I rise today in support of this resolution which reminds us that brave American service men and women willingly risk their lives to defend the United States' interests and the freedom and values that we all enjoy as citizens. Such commitment imposes on the rest of us an obligation, an obligation to ensure that we do not break faith with those who serve, and that we respond to such commitment by resolving to provide the necessary resources for our military forces to successfully carry out the missions assigned to them.

Nine years ago this past Saturday, a truck bomb exploded outside the fence around the Khobar Towers compound in Dhahran, Saudi Arabia. The bomb, estimated at more than 3,000 pounds, detonated about 85 feet from a residential housing unit that housed U.S. troops, killing 19 U.S. Air Force servicemen, and wounding hundreds of other Americans.

The force of that explosion destroyed or damaged six high-rise apartment buildings and shattered windows throughout the residential compound. Today, we honor the 19 airmen who gave their lives, the supreme sacrifice, at the hands of terrorists 20 miles away from Dhahran. This Congress joins me in paying tribute to those men who are individually recognized in H. Con. Res. 188.

Mr. Speaker, I thought when I was drafting this resolution that it is ironic that just a month ago we celebrated Memorial Day, where we honored the men and women who have died in the pursuit, and subsequently the defense, of freedom in wars, domestic and foreign, since the founding of our country. One week from today, we will be celebrating the founding of America, our birthday, the Declaration of Independence, upon which our Founding Fathers pledged their lives, their fortunes, and their sacred honor.

As we celebrate our Fourth of July or Memorial Day on their designated day, they are a constant reminder of the sacrifice of these men. Twelve of the 19 men killed were based at Eglin Air Force Base in my district and several, along with their families, were constituents. It is my hope that all of America will pause and give thanks to their sacrifice.

This week in Washington, D.C., the parents and loved ones of many of those who sacrificed their lives are the guests of the FBI, and some of them are here today in the House gallery as we present this resolution. I want to personally pay a word of deepest appreciation to the families of these heroes.

We can never undo the tragedy that they have lived. We can never alleviate the pain that I know is with each of them every day, but I would hope and I know my colleagues join me in this hope, that with the adoption of this resolution, they will take from our action some solace in the fact that we do not forget the contributions and sacrifices of their loved ones. They are much more than men in uniform to them; they were their lives.

Bridget Brooks, mother of Airman First Class Joseph E. Rimkus, is a constituent of mine and works at Eglin even today. I regret that she is not able to be here today, so, Mr. Speaker, I would like to share with my colleagues the kind of man who was lost, in his mother's own words.

''When Joseph joined the military, he told me that now he could have a flag on his coffin like his grandfather. He knew I worried about his safety and had not allowed him to join when he was 17, but he was so devoted to the military that in his last letter to me, he told me that I was his hero and he was going to make a career out of serving his country. He was so proud to be in the Air Force.

''As for his youth, he became the man of the house when his father abandoned us while serving a tour in Korea, and Joseph was my biggest supporter as I put myself through college. He called me the day he died, and his last words to me were that he loved me.

''He was the tenth firstborn son to be named Joseph. He did not talk about being a father because that was a done deal. Instead, he talked in great length of what kind of grandfather he would be.

''My family may never recover from this loss. Joseph was one of those rare souls who gave all. Before he left, he made sure that I knew he was a Christian and he would be a Catholic all of his life. Can you imagine how that knowledge has comforted me? There is no amount of money to pay for that. Even to this day, people still tell me how wonderful he was.

''In the court case against Iran, one airman, who I did not know, testified that while they were all huddled in mass after the bombing, and they knew the boys who were killed, it was Joseph's presence that he felt. That does not surprise me. Joseph was there for his friends. That is just what he would do.''

Mr. Speaker, our action on this resolution is a message to those who died, their family members, our Nation and the rest of the world that we honor the sacrifices of these 19 airmen and the families that they left behind. They served with the highest and best military traditions. No one could have served better or given more.

I urge all of my colleagues to join me and the 47 original cosponsors in support of this resolution.

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

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

Mr. Speaker, I rise in support of House Concurrent Resolution 188 introduced by the gentleman from Florida (Mr. MILLER). I appreciate all the work he has done on the Committee on Armed Services on which we both serve. He has been a valiant supporter of our men and women in uniform, our veterans, and our national security.

The gentleman from Florida (Mr. MILLER) outlined well the terrible tragedy that occurred at Khobar Towers. This was really brought home to me several years ago when I had the honor of participating in a Purple Heart ceremony at the Little Rock Air Force Base, a C–130 base in my district, one of those things that all of us Members at some point get the honor of doing.

During this ceremony, previous Purple Heart winners were introduced, and several of them were survivors of Khobar Towers, and it really brought home for me that for many of us Americans we hear these names, they sound exotic, they sound foreign, and yet for the families that are here with us today and the families of these men and women who died and were wounded, those names, those places, mean very much to them and their family.

We are also reminded by the tragedy at Khobar Towers, the attack on Khobar Towers, of the other sacrifices that our men and women in uniform have made at places that are not all that well known to many Americans.

We recall the attack on Riyadh, Saudi Arabia, at the U.S. military headquarters, November 13, 1995, in which we lost five servicemembers.

Then 2 years following the Khobar Towers attack, we had the attack against two of our embassies on August 7, 1998, one in Nairobi, Kenya, and the other in Tanzania. The two truck bombs killed 11 Americans, including three servicemembers, and hundreds of Kenyans and nearly a dozen Tanzanians.

Then we had the attack October 12, 2000, on the USS *Cole* and finally the attacks on the World Trade Center, the Pentagon and the plane that crashed in Pennsylvania.

So this is a very important reminder today of the sacrifice that our men and women in uniform are called on to make, but also the sacrifice that their family and friends and all of us make when we lose such fine, fine Americans.

Once again, I commend the gentleman from Florida (Mr. MILLER) for introducing this resolution, and I urge all Members to support it.

Mr. MICA. Mr. Speaker, Saturday, June 25th, marked 9 years since the terrorist bombing of the Khobar Towers, the U.S. military housing facility in Saudi Arabia where 19 American servicemen were killed and hundreds wounded.

Four years ago, on June 21st, 2001, the United States indicted some of those who were responsible for those murders. While a few of these individuals have been identified, not one has been brought to trial yet. However long it takes, our country must continue to pursue and bring to justice all of those indicted and all those responsible for this murderous, terrorist act against our servicemen and our country. We must not rest until this has been accomplished.

Florida and our Nation lost too many innocent victims for this matter to be brushed aside.

Master Sergeant Michael G. Heiser, of Palm Coast, and Airman First Class Brian W. McVeigh, of DeBary, are 2 of the 19 heroes who left behind loved ones and families in my Congressional District. Their young lives were cut short when they made the ultimate sacrifice for our country. The United States must never rest until those responsible for these deaths are brought to justice.

We know that these surviving relatives and all the others who lost their loved ones continue to feel the pain of great loss. We know that they cannot rest—until justice prevails.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 608 which recognizes the 9th anniversary of the terrorist bombing of the Khobar Towers United States military housing compound near Dhahran, Saudi Arabia.

On the evening of June 25th, 1996, a truck bomb exploded in Dhahran, Saudi Arabia. This terrorist attack killed 19 servicemen of the U.S. Air Force and wounded 300 other Americans. The bomb tore away an entire wall of a high-rise apartment building, part of the Khobar Towers complex housing U.S. Air Force men and women assigned to nearby Dhahran Air Base.

Although their mission was to patrol the skies of southern Iraq and prevent Iraqi planes from threatening the peace of the Middle East, this terrorist attack was a painful demonstration and reminder of the risks Americans in uniform are faced with every day around the world.

Therefore, it is our duty to recognize the service and sacrifice of these men and women and to extend that duty upon our fellow Americans. We ask that all Americans pause and pay tribute to those 19 brave airmen and airwomen who have given their lives so that others throughout the world may live in a free and democratic society. Together, as Americans, we offer our continued sympathies to the families affected by this tragedy. We know that because their loved ones could never be replaced; we will never forget the values they so valiantly died for, nor will we stop until those who are responsible for such a heinous act are brought to justice. Furthermore, it is our responsibility to assure our servicemen and women that wherever in the world they are—we, the Members of Congress, will make them, the defenders of liberty and justice, our highest priority.

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

Mr. MILLER of Florida. Mr. Speaker, again, I have no more speakers and I would suffice to say that we urge passage of this resolution and the fact that these nomads will forever be protecting us.

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

The SPEAKER pro tempore (Mr. ISSA). The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 188.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF THE HOUSE REGARDING THE MASSACRE AT SREBRENICA IN JULY 1995

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 199) expressing the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995, as amended.

The Clerk read as follows:

H. RES. 199

Whereas in July 1995 thousands of men and boys who had sought safety in the United Nations-designated ''safe area'' of Srebrenica in Bosnia and Herzegovina under the protection of the United Nations Protection Force (UNPROFOR) were massacred by Serb forces operating in that country;

Whereas beginning in April 1992, aggression and ethnic cleansing perpetrated by Bosnian Serb forces, while taking control of the surrounding territory, resulted in a massive influx of Bosniaks seeking protection in Srebrenica and its environs, which the United Nations Security Council designated a ''safe area'' in Resolution 819 on April 16, 1993;

Whereas the UNPROFOR presence in Srebrenica consisted of a Dutch peacekeeping battalion, with representatives of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, and the humanitarian medical aid agency Médecins Sans Frontières (Doctors Without Borders) helping to provide humanitarian relief to the displaced population living in conditions of massive overcrowding, destitution, and disease;

Whereas Bosnian Serb forces blockaded the enclave early in 1995, depriving the entire population of humanitarian aid and outside communication and contact, and effectively reducing the ability of the Dutch peacekeeping battalion to deter aggression or otherwise respond effectively to a deteriorating situation;

Whereas beginning on July 6, 1995, Bosnian Serb forces attacked UNPROFOR outposts, seized control of the isolated enclave, held captured Dutch soldiers hostage and, after skirmishes with local defenders, ultimately took control of the town of Srebrenica on July 11, 1995;

Whereas an estimated one-third of the population of Srebrenica, including a relatively small number of soldiers, made a desperate attempt to pass through the lines of Bosnian Serb forces to the relative safety of Bosnian-held territory, but many were killed by patrols and ambushes;

Whereas the remaining population sought protection with the Dutch peacekeeping battalion at its headquarters in the village of Potocari north of Srebrenica but many of these individuals were randomly seized by Bosnian Serb forces to be beaten, raped, or executed;

Whereas Bosnian Serb forces deported women, children, and the elderly in buses, held Bosniak males over 16 years of age at collection points and sites in northeastern Bosnia and Herzegovina under their control, and then summarily executed and buried the captives in mass graves;

Whereas approximately 20 percent of Srebrenica's total population at the time—at least 7,000 and perhaps thousands more—was either executed or killed;

Whereas the United Nations and its member states have largely acknowledged their failure to take actions and decisions that could have deterred the assault on Srebrenica and prevented the subsequent massacre;

Whereas Bosnian Serb forces, hoping to conceal evidence of the massacre at Srebrenica, subsequently moved corpses from initial mass grave sites to many secondary sites scattered throughout parts of northeastern Bosnia and Herzegovina under their control;

Whereas the massacre at Srebrenica was among the worst of many horrible atrocities to occur in the conflict in Bosnia and Herzegovina from April 1992 to November 1995, during which the policies of aggression and ethnic cleansing pursued by Bosnian Serb forces with the direct support of the Serbian regime of Slobodan Milosevic and its followers ultimately led to the displacement of more than 2,000,000 people, an estimated 200,000 killed, tens of thousands raped or otherwise tortured and abused, and the innocent civilians of Sarajevo and other urban centers repeatedly subjected to shelling and sniper attacks;

Whereas Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide (done at Paris on December 9, 1948, and entered into force with respect to the United States on February 23, 1989) defines genocide as ''any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group'';

Whereas on May 25, 1993, the United Nations Security Council adopted Resolution 827 establishing the world's first international war crimes tribunal, the International Criminal Tribunal for the former Yugoslavia (ICTY), based in The Hague, the Netherlands, and charging the ICTY with responsibility for investigating and prosecuting individuals suspected of committing war crimes, genocide, crimes against humanity and grave breaches of the 1949 Geneva Conventions on the territory of the former Yugoslavia since 1991;

Whereas nineteen individuals at various levels of responsibility have been indicted, and in some cases convicted, for grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war, crimes against humanity, genocide, and complicity in genocide associated with the massacre at Srebrenica, three of whom, most notably Radovan Karadzic and Ratko Mladic, remain at large; and

Whereas the international community, including the United States, has continued to provide personnel and resources, including through direct military intervention, to prevent further aggression and ethnic cleansing, to negotiate the General Framework Agreement for Peace in Bosnia and Herzegovina (initialed in Dayton, Ohio, on November 21, 1995, and signed in Paris on December 14, 1995), and to help ensure its fullest implementation, including cooperation with the

International Criminal Tribunal for the former Yugoslavia: Now therefore be it

Resolved, That it is the sense of the House of Representatives that—

(1) the thousands of innocent people executed at Srebrenica in Bosnia and Herzegovina in July 1995, along with all individuals who were victimized during the conflict and genocide in Bosnia and Herzegovina from 1992 to 1995, should be solemnly remembered and honored;

(2) the policies of aggression and ethnic cleansing as implemented by Serb forces in Bosnia and Herzegovina from 1992 to 1995 meet the terms defining the crime of genocide in Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide;

(3) foreign nationals, including United States citizens, who have risked and in some cases lost their lives in Bosnia and Herzegovina while working toward peace should be solemnly remembered and honored;

(4) the United Nations and its member states should accept their share of responsibility for allowing the Srebrenica massacre and genocide to occur in Bosnia and Herzegovina from 1992 to 1995 by failing to take sufficient, decisive, and timely action, and the United Nations and its member states should constantly seek to ensure that this failure is not repeated in future crises and conflicts;

(5) it is in the national interest of the United States that those individuals who are responsible for war crimes, genocide, crimes against humanity, and grave breaches of the 1949 Geneva Conventions, committed in Bosnia and Herzegovina, should be held accountable for their actions;

(6) all persons indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) should be apprehended and transferred to The Hague without further delay, and all countries should meet their obligations to cooperate fully with the ICTY at all times; and

(7) the United States should continue to support the independence and territorial integrity of Bosnia and Herzegovina, peace and stability in southeastern Europe as a whole, and the right of all people living in the region, regardless of national, racial, ethnic or religious background, to return to their homes and enjoy the benefits of democratic institutions, the rule of law, and economic opportunity, as well as to know the fate of missing relatives and friends.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 199, the resolution under consideration.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in consideration of H. Res. 199, today the House of Representatives brings honor to the men, women and children of Srebrenica in Bosnia-Herzegovina. In a little over 2 weeks, it will have been 10 years since the massacre of approximately 8,000 men and boys from that small town.

Mr. Speaker, renewed attention is focused on this event in light of the recently released video showing members of the Serb paramilitary group, the Scorpions, executing young Bosniak men from Srebrenica. Many Members of this House saw the news coverage of this video, including an interview of a woman who never knew what actually happened to her young son at Srebrenica in July 1995 until she saw the footage on television that he was among those executed. In passing this resolution, we are expressing solidarity with the thousands of women like her, and others, who a decade ago witnessed something so evil that it defies comprehension.

There are four basic motivations, Mr. Speaker, for passing this resolution today. First, there are those who, despite being indicted for genocide, continue to evade justice. Second, some continue to deny that the atrocity even occurred or they contend it was something other than genocide. Third, the international community must learn from its failure to stop slaughter from taking place in a declared safe area, and let us all remember Srebrenica was called a safe haven, especially as we look at similar situations around the globe. Finally, 10 years after Srebrenica, Srebrenica survivors, including many who came to this country as refugees and are now American citizens, still feel the excruciating pain of losing so many of their innocent loved ones.

Mr. Speaker, I want to stress that the resolution notes the direct support that came from the Serbian regime of Slobodan Milosevic and its followers. This is no small circle of Milosevic henchmen, as some in Belgrade have claimed. We are referring to an entire regime, albeit an undemocratic one, and not just a few individuals in positions of authority. Moreover, followers of the regime existed in the military, the police and other state institutions, and when it appeared that he was succeeding in a conflict against neighboring peoples, Milosevic actually garnered popular support.

Milosevic has rightfully been in The Hague, as we all know, Mr. Speaker, since 2001, but why have others like Radovan Karadzic and Ratko Mladic remained at large? Why until recently, if not to today, have they benefited from the protection not only from criminal networks but perhaps by segments of the military and the police? To me, that shows broader involvement than has been alleged.

The reference to the followers of the Milosevic regime clearly indicates that we are not referring to those in Serbia, including those in positions of authority today, who had no role in what was happening when they put themselves at risk in opposing Milosevic and his policies in the 1990s.

I would just point out to my colleagues that on the Subcommittee on International Operations and Human Rights, which I chaired for several years through the 1990s, we did hold hearings, and many of us made trips to the former Yugoslavia.

In one of those hearings, we heard from Hasan Nuhapovic, a former translator of the U.N. peacekeeping forces in Srebrenica. Hasan was one of those who lost his family and I would just quote very briefly from that testimony that he gave to our committee. He said, ''My family, just like thousands of others, was simply handed over to the Serbs in the village of Potocari, 6 kilometers north of Srebrenica on 13 July 1995. They have never been seen since. The Dutch peacekeepers threw my family out of the camp right in front of my eyes. The people, especially the men and boys who were inside the camp, didn't want to leave the relative safety of it.''

It goes on to say, ''The Dutch refused to tell the refugees inside the camp what was going on with the people outside.'' He says, ''They lied, saying that everything was all right and that the people from inside the camp were also going to be evacuated to the federation territory. The Dutch lied to the refugees inside the camp,'' he goes on. ''The Dutch knew that the men and boys outside the camp were being separated from the women and children and that some of them were even killed right on the spot. They watched the Serbs take away and kill civilians. They did nothing to prevent it.''

Mr. Speaker, this resolution remembers those 7- to 8,000 men and boys who were slaughtered in Srebrenica, and it says in a collective voice of the House of Representatives, Democrats and Republicans alike, that we care, we care deeply. We are sorrowful for those who lost their lives, and hopefully never again.

I will insert a Chronicle of Genocide in the RECORD at this point.

CHRONICLE OF GENOCIDE

PROLOGUE

The town of Srebrenica is located in eastern Bosnia's Drina River Valley, about 15 kilometers from the Serbian border. In 1991, the town was home to 37,000 inhabitants, including roughly 27,000 Bosnian Muslims (Bosniaks) and 9,000 Serbs. Prior to the outbreak of Yugoslavia's civil war, members of Srebrenica's different ethnic groups lived together for decades without major conflict.

After the end of the Cold War, Srebrenica had its first encounter with conflict in April 1992 when Serb paramilitary forces gained control of the city for several weeks. One month later, Srebrenica was recaptured by Bosnian Muslim fighters from the Army of Bosnia and Herzegovina. By September, Bosnian Muslim forces had succeeded in uniting Srebrenica with the neighboring town of Žepa and increasing the size of the territory under their control to 900 square kilometers. However, the enclave remained isolated from the main Army of Bosnia and Herzegovina and strategically vulnerable to advancing Serb forces.

In January 1993, Bosnian Serb troops (which logistically and financially were not

entirely independent from and were supported by Serbian military and police forces) from the self-proclaimed Republika Srspka launched an offensive to retake the Muslim-controlled areas around Srebrenica. After months of fighting, the villages of Konjević Polje and Cerska were captured, severing the connection between Srebrenica and Žepa and reducing the size of the Srebrenica enclave to 150 square kilometers. Bosnians from neighboring areas streamed into the town of Srebrenica, increasing the population to as many as 60,000 people.

When the Commander of the U.N. Protection Force (UNPROFOR), French General Philippe Morillon, visited Srebrenica in March 1993, he discovered an overcrowded city beset by siege conditions. The Bosnian Serb troops had destroyed the town's water supply and the population was running short on food, medicine, and other necessities. Before his departure, General Morillon promised residents that Srebrenica was under U.N. protection and that he would never abandon the city's inhabitants.

On April 16, 1993, the U.N. Security Council passed a resolution declaring that ''all parties and others treat Srebrenica and its surroundings as a 'safe area' that should be free from armed attack or any other hostile act.''

The first group of UNPROFOR soldiers arrived in Srebrenica on April 18, 1993 and fresh troops were rotated into the city every six months after that. In January 1995, a battalion from the Netherlands rotated into the enclave. By this time, few supply convoys were reaching the city. In March and April, the Dutch soldiers defending the city observed a build-up of Bosnian Serb troops in the surrounding area. The Drina Corps of the Army of the Republika Srpska (VRS) was preparing for a major attack on Srebrenica.

CHRONOLOGY OF GENOCIDE

March 1995—Radovan Karadžić, President of the self-proclaimed Republika Srpska, issues a directive to the Bosnian Serb Army ordering the VRS to ''complete the physical separation of Srebrenica from Žepa as soon as possible'' and block aid convoys on their way to Srebrenica.

July 2, 1995—Republika Srpska Army General Milenko Živanović signs two orders outlining plans for attacking the enclave and issues the order to various units of the Drina Corps to prepare for combat. The operation is code-named ''Krivaja 95.''

July 6, 1995—Bosnian Serb forces launch their attack on Srebrenica. The Commander of the city's Dutch battalion, Colonel Karremans, contacts the U.N. General Staff in Sarajevo requesting NATO air support after refugee camps and U.N. monitoring posts are shelled.

July 9, 1995—Forces from the VRS Drina Corps surround the town of Srebrenica. President Karadžić issues a new order in which he approves the capture of Srebrenica.

July 10, 1995—The Bosnian Serbs shell Srebrenica and residents flee toward the U.N. base at Potočari.

Colonel Karremans makes an urgent request for NATO air support when Bosnian Serb forces shell his soldiers' positions. The Commander of the U.N. forces, French General Bernard Janvier, initially rejects the request, but ultimately approves the use of air strikes. In the meantime, the VRS forces stop attacking U.N. soldiers and the air attacks are postponed.

Colonel Karremans assures Bosnian Muslims that NATO airplanes will execute a major attack on Bosnian Serb troops if VRS forces are not withdrawn from the Protection Zone by 6:00 a.m. the next morning.

July 11, 1995—Bosnian Serb forces conduct extensive shelling of Srebrenica.

9:00 a.m.: Colonel Karremans is notified that his request for air support was not submitted on the correct form. At 10:30 a.m., the re-issued request reaches General Janvier. However, the NATO warplanes that have been circling Srebrenica since 6:00 a.m. are low on fuel and have to return to their base in Italy.

2:30 p.m.: NATO planes bomb Republika Srpska army tanks. The Bosnian Serb forces threaten to kill captured Dutch soldiers and shell the U.N. base in Potočari. Plans for further NATO air strikes are abandoned.

General Ratko Mladić, together with General Krstić (then Deputy Commander and Chief of Staff of the Drina Corps), General Živanović (then Commander of the Drina Corps) and other VRS officers enter Srebrenica.

8:00 p.m.: Representatives of the Bosnian Serb forces meet UNPROFOR leaders at the Hotel Fontana in the neighboring city of Bratunac. General Ratko Mladić chairs the meeting, and the two sides discuss the mounting refugee crisis.

Around 10:00 p.m.: In Srebrenica, military leaders of the Army of Bosnia and Herzegovina and local civilians decide to form a column of men—about two thirds of which were Bosnian Muslim civilians—with the goal of escaping from Srebrenica through the mountains toward Tuzla. The column starts moving north around midnight.

11:00 p.m.: A second meeting at the Hotel Fontana results in a plan to transport Bosnian Muslim civilians out of the enclave.

July 12, 1995.—VRS General Milenko Živanović signs an order directing the Drina Corps to secure all buses and mini-buses belonging to the VRS. The Republika Srpska Defense Ministry sends three orders to its local secretariats directing them to procure buses and to send them to Bratunac.

10:00 a.m.: A third and final meeting is held at the Hotel Fontana to discuss the fate of the Srebrenica Muslims. Ratko Mladić issues an order to transport Bosnian Muslim refugees out of Potočari, stating that it is the only way to guarantee their survival. He also informs those present that all males between the ages of 16 and 70—essentially all military-aged men, (which however did not prevent boys of much younger age as well as much older men to be included in this group) must be separated from the others and screened to prevent the escape of possible ''war criminals.''

1:00 p.m.: Dozens of buses arrive in Potočari. Women, children, and the elderly are driven by bus from Potočari toward Tuzla, which is under the control of the Army of Bosnia and Herzegovina. Military-aged men are systematically separated out and detained in Potočari before being transferred to Bratunac.

Bosnian Serbs forces, including some military and municipal police, take positions along the Bratunac-Milići road with the intention of intercepting the column. Equipped with heavy armor and artillery, the Bosnian Serb forces open fire on the column as it crosses the road between Konjević Polja and Nova Kasaba. Many survivors of the attack are taken prisoner.

The U.N. Security Council declares that the international community is ''[g]ravely concerned at the deterioration in the situation in and around the safe area of Srebrenica, Republic of Bosnia and Herzegovina, and at the plight of the civilian population there.''

July 13, 1995.—The evacuation of women, children, and the elderly continues. Military-aged men are separated from the refugees and transferred to Bratunac.

As many as 6,000 men from the column headed from Srebrenica to Tuzla are captured and detained by Bosnian Serb forces. Several thousand of them are brought to a field close to Sandići and to the soccer stadium in Nova Kasaba.

Bosnian Serbs begin the mass execution of Muslim detainees at sites near the Jadar River, the Cerska valley, and a warehouse in Kravica.

8:00 p.m.: The removal of the Bosnian Muslim population from Potočari is completed.

July 13–14, 1995.—Executions continue in Tišća.

July 14, 1995.—Executions continue in Orahovac.

July 14–15, 1995.—Executions continue at the Petkovći Dam.

July 16, 1995.—Executions continue at Branjevo Military Farm and the Pilića Cultural Center.

The front of the decimated column of Bosnian Muslims succeeds in reaching territory controlled by the Army of Bosnia and Herzegovina.

July 17–18, 1995.—Executions continue at Kozluk and other locations.

September–October 1995—The Bosnian Serb forces engage in a concerted effort to conceal the mass killings by exhuming bodies from mass graves, turning over the ground, and reburying human remains in smaller, remote gravesites.

EPILOGUE

Evidence presented at The Hague in the trial of Bosnian Serbs accused of war crimes established that during the month of July 1995, Bosnian Serb forces executed between seven and eight thousand Bosnian men and boys. The International Tribunal for the Former Yugoslavia (ICTY) found ''beyond any reasonable doubt that a crime of genocide was committed in Srebrenica''.

Immediately after the massacre, Republika Srpska President Radovan Karadžić and VRS Chief Ratko Mladić, the highest political and military leaders of the Bosnian Serbs, were indicted by the Tribunal for their roles in the Srebrenica genocide. To date, they have successfully avoided arrest. The crimes in Srebrenica are also included in the indictment against former Yugoslav leader Slobodan Milošević.

Radislav Krstić and Vidoje Blagojević, high ranking officers of the Bosnian Serb Army, have been convicted of complicity in genocide. Dragan Jokić, Deputy Commander of the Zvornik Brigade, has been convicted of crimes against humanity. General Radislav Krstić, deputy commander of the VRS Drina Corps, has been convicted of genocide. Officers Momir Nikolić and Dragan Obrenović, and the soldier Dražen Erdemović, have admitted their guilt and been convicted of crimes against humanity. Those convicted in connection with the genocide have received prison sentences ranging from five to 35 years. Dražen Erdemović, sentenced to five years in prison for the murder of at least 75 men from Srebrenica, has already been released.

Ljubiša Beara, Head of Security at the General Headquarters of the Bosnian Serb Army, has been charged with genocide and is awaiting trial.

Army and police officers Drago Nikolić, Ljubomir Borvčanin, Vinko Pandurević, and Vujadin Popović, also indicted for genocide, have surrendered to the Tribunal in The Hague and are awaiting trial. Radivoje Miletić and Milan Gvero, Generals of the Bosnian Serb Army, have surrendered to the Tribunal and are charged with expelling Bosnian Muslims from Srebrenica. General Zdravko Tolimir, who is accused of the same crimes, is still at large.

The Appeals Chamber of the International Criminal Tribunal for the Former Yugoslavia used strong language to describe the Srebrenica genocide during the trial of General Radislav Krstić: ''By seeking to eliminate a part of the Bosnian Muslims, the Bosnian Serb forces committed genocide. They

targeted for extinction the forty thousand Bosnian Muslims living in Srebrenica, a group which was emblematic of the Bosnian Muslims in general. They stripped all the male Muslim prisoners, military and civilian, elderly and young, of their personal belongings and identification, and deliberately and methodically killed them solely on the basis of their identity. The Bosnian Serb forces were aware, when they embarked on this genocidal venture, that the harm they caused would continue to plague the Bosnian Muslims. The Appeals Chamber states unequivocally that the law condemns, in appropriate terms, the deep and lasting injury inflicted, and calls the massacre at Srebrenica by its proper name: genocide. Those responsible will bear this stigma, and it will serve as a warning to those who may in future contemplate the commission of such a heinous act.''

To date, several thousand bodies and parts of bodies from victims of the genocide have been exhumed from mass graves. So far, 1,327 of these bodies have been identified and buried in the Memorial Centre in Potočari near Srebrenica.

Of the 27,000 Bosnian Muslims who inhabited Srebrenica before the war, only a few hundred have returned to live in the city.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution.

Mr. Speaker, first I want to commend the gentleman from New Jersey (Mr. SMITH), my good friend and distinguished colleague, an indefatigable fighter for human rights across the globe, for introducing this resolution.

It is vitally important that we recall the brutal and tragic events that took place at Srebrenica in July of 1995, and seek justice as long as those responsible are still at large.

Mr. Speaker, in early July 1995, Bosnian Serb forces laid siege to the town of Srebrenica in eastern Bosnia where tens of thousands of Muslim civilians had taken refuge from earlier Serb offenses in the northeast.

□ 1615

The United Nations attempted to extend protection to the area, and some 600 lightly armed Dutch troops were dispatched there to establish a United Nations presence.

Serbian troops stepped up shelling the town, and thousands of Muslim refugees fled ahead of the advancing Serb forces. Serb soldiers then attacked the Dutch U.N. troops and took 30 of them hostage. The Dutch commander requested NATO air strikes against the Serbian troops, but these were quickly stopped after the Serbian commander threatened to kill the Dutch captives.

The Serbs occupied the area and began separating the civilians, men to one side, women and children to the other. Women and children were transported, terrified, to Muslim territory; but all the males between the ages of 12 and 77 were held for what the Serbs cynically termed interrogation for suspected war crimes. Over the next 5 days, Bosnian Serb soldiers systematically killed over 7,000 unarmed men and boys in the fields, schools, and warehouses around Srebrenica.

Mr. Speaker, this was the worst massacre in the bloody Bosnian war, and it was ethnic cleansing of the most horrible sort. It is important that we note not only that 10 years have passed since that horrendous crime, but what is more, that those who are guilty of this mind-boggling atrocity have not been brought to justice.

The Bosnian Serb general who commanded Serbian forces at Srebrenica, Ratko Mladic, has been indicted by the International Criminal Tribunal, but he remains at large in Serbian-controlled areas of Bosnia or in Serbia itself. Another Bosnian Serb indicted by the tribunal who also bears responsibility for the atrocities is also free in Bosnia or in Serbia. He is Radovan Karadzic, the former leader of the self-styled Republika Srpska, or the Serb-controlled territories in Bosnia.

Mr. Speaker, it is an outrage that such war criminals continue to be sheltered and protected by Serbian officials in Bosnia and in Serbia. As we solemnly mark the passage of a decade since this horrific massacre at Srebrenica, it is essential that we recommit ourselves to seek justice for the victims, well-deserved punishment for the perpetrators, and commit ourselves to take all possible action to assure that such atrocities do not again occur in Bosnia or in Rwanda or in Darfur, or indeed any place on this small planet.

Mr. Speaker, I strongly support this resolution, and I urge all of my colleagues to do so.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself the balance of my time.

As we consider this resolution, I want to thank those who have worked hard to craft the text that meets various concerns and reflects the realities of Srebrenica as we know them. In particular, I want to thank the Congress of North American Bosniaks and its members for stressing the need for the United States Congress to address this issue at this time, not only for their sake but for the sake of humanity.

I also want to thank the Coalition for International Justice for providing us with background on who was indicted for crimes relating to Srebrenica by the International Criminal Tribunal for the former Yugoslavia located at the Hague, as well as their current status.

Finally, I want to thank the chairman of the International Relations Committee, the gentleman from Illinois (Mr. HYDE), and especially the gentleman from California (Mr. LANTOS), who is one of the cosponsors of this resolution and a great friend of human rights; and also for our friends on the Subcommittee on Europe and Emerging Threats, to which it was also referred, for working with us on helping to craft this regulation. And to the 39 cosponsors, including the gentleman from Maryland (Mr. CARDIN), who is the ranking member on the Commission on Security and Cooperation in Europe, which I chair in the House.

Let me say, finally, Mr. Speaker, that Article 2 of the Genocide Convention, quoted in the text of this resolution, defines genocide as, ''Any of the following acts committed with intent to destroy in whole or in part, a national, ethnical, racial, or religious group, such as: A, killing members of the group; B, causing serious bodily or mental harm to members of the group; C, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; E, forcibly transferring children of the group to another group.''

Genocide is defined as the commission of acts with that intention, whether or not the acts succeed or are completed. The word ''prevention'' is also in the title of the Genocide Convention. While not specifying what to be done or obligating countries to do anything specific, clearly genocides must be defined as something taking place and not as something necessarily accomplished. If accomplished, it is too late to prevent it.

When I look at this definition, Mr. Speaker, and then hear what happened in Srebrenica 10 years ago, I, and I know others, can only agree with the Appeals Chamber at the International Criminal Tribal for the former Yugoslavia, which confirmed in April 2004 that the crime of summarily executing almost 8,000 men and boys at Srebrenica alone meets the legal definition of genocide.

The Appeals Chamber, in which an American is the presiding judge, concluded in its decision appealing a conviction that ''the law must not shy away from referring to the crime committed by its proper name. The Appeals Chamber states unequivocally that the law condemns, in appropriate terms, the deep and lasting injury inflicted and calls the massacre,'' and I continue this quote, ''at Srebrenica by its proper name: genocide. Those responsible will bear the stigma, and it will serve as a warning to those who may in the future contemplate the commission of such a heinous act.''

The court got it right, Mr. Speaker. This resolution gets it right.

And, finally, I just want to thank the gentleman to my left, Bob Hand, who has been with the Commission on Security and Cooperation now since 1983 and who first came as an intern, for his diligence in crafting major portions of this legislation. I want to thank him for his work and his attention to detail. He is also the staff specialist for the commission on all the areas of the former Yugoslavia and Albania, and I am deeply grateful for his work as well.

And Dan Freeman, our expert parliamentarian, to my rear, I want to thank him for his work as well.

Mr. CARDIN. Mr. Speaker, I rise in strong support of this resolution and urge my colleague to vote for its passage.

Article 2 of the Genocide Convention, quoted in the text of this resolution, defines genocide as ''any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, such as: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group''. Genocide is defined as the commission of acts with that intention whether or not the acts succeed or are completed. The word ''prevention'' is also in the title of the Genocide Convention. While not specifying what could be done or obligating countries to do any specific thing, clearly genocide must be defined as something taking place and not as something necessarily accomplished. If accomplished, it is too late to prevent it.

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Twenty-three people have been indicted for genocide by the Hague. Regardless of individual guilt or innocence, the acceptance of the legitimacy of the charges is a recognition that genocide occurred. Indeed, if it is accepted that Srebrenica itself was genocide, then we must consider the 20–30,000 non-Serbs killed in the Prijedor region, which gets less attention mostly because it took place over a 6-month period rather than a week, especially given that the crime was committed perhaps by some of the same people and certainly under the same command. Similarly, we must consider the more than 10,000 killed and 50,000 wounded by the sniper fire and an average of over 300 shells per day fired into the city Sarajevo in the more than 3-year siege of that city—a crime again committed by perhaps some of the same people and certainly under the same command. We must consider what happened in Foca and Brcko. When we add all these and other places together, we must conclude that genocide occurred.

This, of course, does not mean that Serbs were not also victimized, nor does it mean that all Serbs are somehow guilty for what has been done in their name. But today, it is entirely appropriate that we focus on what happened in Srebrenica, and to put Srebrenica in the context of the larger Bosnian conflict. It is also an important time to urge the authorities in Belgrade, who have made considerable progress this year, to finally complete their cooperation with the tribunal. Serbia must transfer Ratko Mladic and other at-large indictees to the Hague immediately, so that this issue no longer holds Serbia back from taking on a more prominent role in Europe.

I urge my colleagues to support the passage of this important resolution.

Mr. HOYER. Mr. Speaker, I strongly support this important Resolution expressing the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995.

This summer is the 30th anniversary of the signing of the Helsinki Final Act, which established principles to be followed by participating states that include respect for human rights and fundamental freedoms. The Helsinki Final Act and the conference it established have since been institutionalized in the Organization for Security and Cooperation in Europe, or OSCE. This multilateral diplomatic effort was taken seriously by both Republican and Democratic Administrations over the years, and it helped tremendously in ending the Cold War division of Europe and in giving millions upon millions of people freedom from communist repression.

Those of us who have had the privilege to serve on the U.S. Helsinki Commission can recall the powerful impact the Helsinki Final Act had, as well as the hard work and sacrifice that helped bring its ideals so much closer to reality. Some of us, indeed, will be commemorating the OSCE's achievements in about 1 week when the Organization's Parliamentary Assembly convenes here in Washington.

One cannot honestly and credibly assess the accomplishments of the Helsinki Final Act, however, without taking note of the greatest single violation of its provisions in those three decades. Srebrenica undoubtedly is that single greatest violation. Eight thousand men and boys, maybe more, were executed and thrown into mass graves. Their bodies continue to be exhumed and identified to this day. The surviving victims continue to feel the pain from the loss of their loved ones.

This tragedy is compounded by the truly horrifying fact that it could have been prevented. Indeed, it should have been prevented. For 2 years, Srebrenica was designated by the United Nations as a ''safe area.'' Attacks upon it were not to be tolerated. It was protected by U.N. peacekeepers. Yet, for months Serb forces prevented humanitarian convoys from entering Srebrenica; even the Dutch peacekeeping contingent was rendered ineffective by its isolation. When the Serb forces attacked, the air strikes necessary to repel them never came. The United Nations and its member states were not at all helpless, but they were indecisive and feckless in the face of clear aggression.

Many of us in the Congress at the time appealed for decisive action. Even after documenting the policy of ethnic cleansing in Bosnia since 1992, we admittedly did not know the scale and horrific nature of the acts to follow, but we certainly knew something evil was about to occur in Srebrenica. And it did occur, due to the simple fact that it was allowed to occur.

We can, if we choose, find some silver linings in that experience. For the first time since World War II, individuals have been held to account for their crimes, including genocide, before an international tribunal. NATO operated ''out of area,'' setting a stage for broadening the scope of the alliance to support the interests of its members in Afghanistan and elsewhere. Within months of Srebrenica, the international community under U.S. leadership at least restored a peace to Bosnia that, despite problems, has lasted to this day.

It is, however, with deep regret that such advances in international relations came at such a heavy price to so many innocent people. It is a price which Srebrenica survivors continue to pay as Ratko Mladic and Radovan Karadzic remain at large and as so many people continue to deny the massacre even took place. The least that the international community can do to ease their pain is to ensure that the realities of Srebrenica are acknowledged as genocide, to vow that they never happen again, and this time to mean it.

I therefore call upon my colleague to support this important resolution.

Mr. BURTON of Indiana. Mr. Speaker, as Chairman of the Congressional Serbian Caucus, and a long-time champion of human rights, I was pleased to work with Chairman SMITH to bring this important resolution to the House Floor; and I thank the Chairman and his staff, particularly Bob Hand, for their hard work. Nevertheless, despite all of our efforts, at the end of the day I still have a few small concerns over the resolution's wording.

Let me be perfectly clear though. The Srebrenica Massacre was a horrible event in world history that should never have occurred, should never be condoned, and should never be accepted by the international community. It was a truly horrifying experience and scarring for all those involved, from those directly participating in the slaughter, to those who sat idly by while the killing took place. Now, almost 10 years later, it is only appropriate for this House to pause and remember the victims of this horrendous crime and pledge anew that such atrocities will never happen again.

But, this Resolution misses the mark by singling out only one group for condemnation. This House, as well as the leaders of the Balkans, should speak unequivocally and with one voice to condemn all the atrocities that occurred during the Balkan Wars of the 1990s on all sides; whether committed by Serb, Croat or Bosnian. Furthermore, this House should encourage all parties in the region to renew their commitments to fully comply with all international treaties and regulations, such as the International Criminal Tribunal for the Former Yugoslavia, by handing over all outstanding war criminals. For only then can the region, as a whole, move forward to a more peaceful, stable, and democratic Trans-Atlantic future, with eventual membership in the North Atlantic Treaty Organization and the European Union.

Once again, I commend my colleague, Chairman SMITH for bringing this issue before the House. I wish we had been able to strike an understanding on some of the broader issues but I still believe that House Resolution 199 has great merit and I vote ''aye.''

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

The SPEAKER pro tempore (Mr. ISSA). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 199, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of

those present have voted in the affirmative.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

URGING ALBANIA TO ENSURE ELECTIONS TO BE HELD ON JULY 3, 2005, ARE IN ACCORDANCE WITH INTERNATIONAL STANDARDS FOR FREE AND FAIR ELECTIONS

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 155) urging the Government of the Republic of Albania to ensure that the parliamentary elections to be held on July 3, 2005, are conducted in accordance with international standards for free and fair elections.

The Clerk read as follows:

H. CON. RES. 155

Whereas the United States maintains strong and friendly relations with the Republic of Albania and appreciates the ongoing support of the people of Albania;

Whereas the President of Albania has called for elections to Albania's parliament, known as the People's Assembly, to be held on July 3, 2005;

Whereas Albania is one of 55 participating States in the Organization for Security and Cooperation in Europe (OSCE), all of which have adopted the 1990 Copenhagen Document containing specific commitments relating to the conduct of elections;

Whereas these commitments, which encourage transparency, balance, and impartiality in an election process, have become the standard by which observers determine whether elections have been conducted freely and fairly;

Whereas, though improvements over time have been noted, the five multiparty parliamentary elections held in Albania between 1991 and 2001, as well as elections for local offices held between and after those years, fell short of the standards in the Copenhagen Document to varying degrees, according to OSCE and other observers;

Whereas with OSCE and other international assistance, the Government of Albania has improved the country's electoral and legal framework and enhanced the capacity to conduct free and fair elections;

Whereas subsequent to the calling of elections, Albania's political parties have accepted a code of conduct regarding their campaign activities, undertaking to act in accordance with the law, to refrain from inciting violence or hatred in the election campaign, and to be transparent in disclosing campaign funding; and

Whereas meeting the standards in the Copenhagen Document for free and fair elections is absolutely essential to Albania's desired integration into European and Euro-Atlantic institutions, including full membership in the North Atlantic Treaty Organization (NATO), as well as to Albania's progress in addressing official corruption and combatting organized crime: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) welcomes the opportunity for the Republic of Albania to demonstrate its willingness and preparedness to take the next steps in European and Euro-Atlantic integration by holding parliamentary elections on July 3, 2005, that meet the Organization for Security and Cooperation in Europe (OSCE) standards for free and fair elections as defined in the 1990 Copenhagen Document;

(2) firmly believes that the citizens of Albania, like all people, should be able to choose their own representatives in parliament and government in free and fair elections, and to hold these representatives accountable through elections at reasonable intervals;

(3) supports commitments by Albanian political parties to adhere to a basic code of conduct for campaigning and urges such parties and all election officials in Albania to adhere to laws relating to the elections, and to conduct their activities in an impartial and transparent manner, by allowing international and domestic observers to have unobstructed access to all aspects of the election process, including public campaign events, candidates, news media, voting, and post-election tabulation of results and processing of election challenges and complaints;

(4) supports assistance by the United States to help the people of Albania establish a fully free and open democratic system, a prosperous free market economy, and its rightful place in European and Euro-Atlantic institutions, including the North Atlantic Treaty Organization (NATO); and

(5) encourages the President to communicate to the Government of Albania, to all political parties and candidates, and to the people of Albania the high importance attached by the Government of the United States to this parliamentary election as a central factor in determining the future relationship between the United States and Albania.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, 14 years ago, Albania was just emerging from decades of brutal isolation from Europe when they held their first genuinely contested elections in 1991. Not surprisingly, they fell short of the standards for free and fair elections as defined by the Organization for Security and Cooperation in Europe, or OSCE, as did subsequent elections for parliament and local government. The United States and other friends of Albania, however, remained engaged with the Albanian people throughout their turbulent transition.

Today, Albania is at the point where the country can actually hold free and fair elections, something the citizens of that country deeply deserve. Parliamentary elections have been scheduled, as Members of this House know, for July 3, and the campaign period is well underway. Staff in the U.S. Helsinki Commission, which I co-chair, will be serving on the international observation mission. Albania has come far in reforming its election process and through these elections has the opportunity to jump a major hurdle not only towards completion of its transition to democracy, but in preparing for integration into European and Euro-Atlantic institutions.

There is good reason to remain concerned, however, that the elections will fall short of international standards. The good things that have been adopted, such as the Code of Conduct adopted by key political parties, may not be carried out. The OSCE's election observer mission has reported receiving an increased number of allegations of legal misuse of state resources and personnel for campaign purposes. If found to be true, those engaged in this activity would be responsible for what would be regarded as a tremendous setback for the country.

Hopefully, by passing this resolution, we can encourage Albanian authorities to respect the rule of law, to abide by their Code of Conduct, and respect the results of the upcoming election. When my colleague, the gentleman from New York (Mr. ENGEL), and I first introduced this resolution, it was with the expectation the U.S. Congress could constructively make a difference by calling on the authorities, political parties, and others to do the right thing so that the real winners in the elections will be the people of Albania who make the effort to vote.

Finally, I am hopeful these elections will meet international standards, because that is one of the first steps Albania will need to take on the path to full Euro-Atlantic integration.

The new Albanian government will also need to tackle problems relating to official corruption and organized crime. Fortunately, beyond a good election process, we must see the development of civil society in Albania, with the youth groups and others pressing elected officials to address the every day problems that plague the lives of Albanian citizens.

I hope my colleagues will support this resolution.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of the resolution.

Mr. Speaker, I want to commend my good friend and colleague, the gentleman from New Jersey, (Mr. SMITH), and our colleague on the Committee on International Relations, the gentleman from New York (Mr. ENGEL), for introducing this excellent resolution urging free and fair elections in Albania. I am pleased to be a cosponsor of the resolution.

Mr. Speaker, it was 15 years ago this month that I had the privilege of being the first American Government official to set foot in Albania after a 44-year hiatus. At that time, Albania was taking its first halting steps to end a half a century of Communist dictatorship and self-imposed international isolation.

Wherever I traveled throughout the country, from formal meetings with

top government officials to casual chats with students at the University of Tirana, crowds of Albanians gathered, looking on curiously and apprehensively, but hopefully. They were anxious to join the world community, but they were fearful of the consequences of transforming the political and economic system that they knew, despite its profound failings.

□ 1630

Since 1990, Albania has worked with the United States and has participated in NATO's Partnership for Peace program. The Albanian Government has made it clear that it is very anxious to join NATO and to strengthen its relations with our Nation. Albania has indicated its desire to become a full member of the European Union with all of the economic and political obligations that that implies.

Albania's road to democracy and full international participation has not been easy. The country's parliamentary and local elections during the 1990s were marred by electoral irregularities and fraud. This hampered its desire for closer links with the Euro-Atlantic community.

The Albanian election now scheduled for July 3 provides a new opportunity for the people of Albania to demonstrate their readiness for closer ties with the United States and the democratic nations of Europe.

I have been encouraged by the commitment of Albania's leaders, Prime Minister Fatos Nano of the Socialist Party, and former President Sali Berisha of the Democratic Party, to see that this election will meet international standards for free, fair, open, and democratic elections.

The July 3 election is one of the most important in Albania since the end of the Communist era. The United States and the international community will be watching this election very carefully to determine whether Albania truly meets international standards. For Albania to make the progress that it seeks in becoming a full member of the Euro-Atlantic community within NATO and the European Union, these elections must be free and fair beyond a doubt.

Our resolution expresses the support of the Congress and the American people for open and democratic elections in Albania. It also urges our President to express to the people and the political leadership of Albania the great importance our Nation attaches to the July 3 elections. It is certainly accurate to say that the way the upcoming Albanian elections are conducted will be a central factor in determining the future relationship between the United States and Albania.

Mr. Speaker, I urge all of my colleagues to support this resolution.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself 1 minute to conclude.

I thank the gentleman from California (Mr. LANTOS) for this partnership resolution, as well as the gentleman from New York (Mr. ENGEL) and the gentleman from Virginia (Mr. WOLF), and others. We had 27 cosponsors of this resolution.

Last July in the Commission on Security Cooperation in Europe, we held a hearing in Albania. We heard from a number of important and prominent witness, including representatives of MJAFT! which is the youth organization that is doing some important pioneering and important work in Albania today. I want to thank them for their work as well.

Mr. ENGEL. Mr. Speaker, I rise in strong support of H. Con. Res. 155, urging Albania to hold its July 3 parliamentary elections in accordance with international standards. I would also like to thank the lead sponsor, CHRIS SMITH, for his work on this legislation. These elections are not only important as Albania works to develop its democratic system, but they will set the tone for the Balkan nation in the months and years ahead.

The United States and Albania have strong ties that go well beyond government relations. For that reason, we believe it is very important to support the people of Albania and their right to choose their elected representatives freely and fairly.

In the 15 years since Albania's brutal communist dictatorship came to an end, the country has struggled in its transition. While some elections have been problematic, there have been improvements over time, and now the country has a real chance to achieve the same international election standards that the United States, Canada and all of Europe adopted in 1990. Between now and election day, the real issue is whether the authorities, political parties and other stakeholders have the will to abide by the laws, regulations and a code of conduct. The active U.S. congressional interest expressed in this resolution can encourage all involved to do the right thing.

A good election process will have enormous benefits for Albania. Domestically, it will enable the next government to take stronger measures to address the official corruption and combat the organized crime which together thwart stronger economic recovery. Internationally, it will enable Albania to take the next steps to joining NATO and the European Union. Supporting Albanian elections today will only strengthen our relations in the future.

I will be in Albania for the July 3rd elections and will lead a National Albanian American Council delegation which will monitor that the polling and counting will be done in accordance with international standards. This resolution will help make the case for a good election.

As the lead Democratic sponsor of this resolution, I urge my colleagues to support H. Con. Res. 155.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of this resolution urging the Government of the Republic of Albania to ensure that the parliamentary elections to be held on July 3, 2005, are conducted in accordance with international standards for free and fair elections. This is an important piece of legislation that will notify the people of Albania that the United States is dedicated to safe, free, and open democracy in Albania and the region. It will let the people of Albania know that we are at their side as they strive for a more free and open society.

As the nation of Albania approaches its July 3rd parliamentary elections we must stand steadfast in our support of free, fair, and transparent elections. As a participating member of the Organization for Security and Cooperation in Europe and a signatory of the 1990 Copenhagen Document containing specific commitments relating to the conduct of elections, Albania must maintain its commitment to these democratic ideals. Indeed, the Copenhagen Document, which encourages transparency, balance, and impartiality in the election process, is so sound that it has become the standard by which elections are judged.

Although Albanian democracy has strengthened over the past several years, it has nonetheless failed to live up to the standards of the Copenhagen Document. Over the past 10 years, Albanian elections have not been as free, fair, and open as the Albanian people deserve. As nations around Europe and the world have made considerable strides towards democracy, meeting the standards in the Copenhagen Document for free and fair elections is absolutely essential to Albania's desired integration into Euro-Atlantic institutions, including membership in the North Atlantic Treaty Organization, NATO. Additionally, transparent democratic elections will inexorably lead to a more free and open society and government able to combat Albania's problems with organized crime.

The Republic of Albania must demonstrate its willingness and preparedness to take the next steps towards strong and stable democracy. This can only be achieved when the people of Albania choose their own representatives in parliament in free and fair elections. The Albanian government, political parties, and politicians must conduct this election in adherence to the laws that regulate all free and fair elections; transparency, free press, and unfettered access to electoral procedures by international and domestic observers.

I commend all the Albanian political parties for their commitment to adhere to campaign and election laws. If Albania is to become an active member of both the European and Euro-Atlantic community it must conduct elections that meet international standards. Failure to meet these requirements could have disastrous effects. Europe and the United States must play an active role in helping Albania move towards stable, transparent, and free democracy. This legislation will take a great step towards that goal.

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

The SPEAKER pro tempore (Mr. ISSA). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 155.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 155.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 35 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1833

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 6 o'clock and 33 minutes p.m.

ANNOUNCEMENT BY THE COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 2864, WATER RESOURCES DEVELOPMENT ACT OF 2005

Mrs. CAPITO. Mr. Speaker, the Committee on Rules has announced that it may meet this week to grant a rule which could limit the amendment process for floor consideration of H.R. 2864, the Water Resources Development Act of 2005. The Committee on Transportation and Infrastructure ordered the bill reported on June 22, 2005 and filed its report with the House on June 24, 2005.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in Room H–312 of the Capitol by 11 a.m. on Wednesday, June 29, 2005. Members should draft their amendments to the text of the bill as reported by the Committee on Transportation and Infrastructure.

Members are reminded that earlier in the year the Committee on Transportation and Infrastructure set forth a specific process regarding the submission of projects for inclusion in the Water Resources Development Act. The Rules Committee does not intend to accord priority to amendments that have not gone through the aforementioned process.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3057, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

Mrs. CAPITO, from the Committee on Rules, submitted a privileged report (Rept. No. 109–155) on the resolution (H. Res. 341) providing for consideration of the bill (H.R. 3057) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERSONAL EXPLANATION

Mrs. CAPITO. Mr. Speaker, due to my attendance at a meeting with BRAC Commissioner Chairman Anthony Principi at the 130th Airlift Wing of the West Virginia Air National Guard in my district, I missed roll call votes 308 through 321 on June 24.

Had I been present, I would have voted as follows:

Rollcall 308, no; rollcall 309, yes; rollcall 310, no; rollcall 311, yes; rollcall 312, yes; rollcall 313, no; rollcall 314, no; rollcall 315, yes; rollcall 316, yes; rollcall 317, no; rollcall 318, no; rollcall 319, no; rollcall 320, no; rollcall 321, yes.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3058, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

Mrs. CAPITO, from the Committee on Rules, submitted a privileged report (Rept. No. 109–156) on the resolution (H. Res. 342) providing for consideration of the bill (H.R. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes, which was referred to the House Calendar and ordered to be printed.

APPOINTMENT OF MEMBERS TO BRITISH-AMERICAN INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 276l, and the order of the House of January 4, 2005, the Chair announces the Speaker's appointment of the following Members of the House to the British-American Interparliamentary Group:

Mr. PETRI, Wisconsin, Chairman,

Mr. BOOZMAN, Arkansas, Vice Chairman.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 199, by the yeas and nays;

H. Con. Res. 155, by the yeas and nays.

Proceedings on H.R. 458 will resume on a later day.

EXPRESSING THE SENSE OF THE HOUSE REGARDING THE MASSACRE AT SREBENICA IN JULY 1995

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 199, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 199, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 370, nays 1, not voting 62, as follows:

[Roll No. 322]

YEAS—370

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Evans
Everett
Farr
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert

Goode
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
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
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
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)

NAYS—1

Paul

NOT VOTING—62

Abercrombie
Bishop (NY)
Boehlert
Brady (PA)
Brown, Corrine
Burton (IN)
Cardin
Carson
Culberson
Davis (FL)
Davis, Tom
Diaz-Balart, L.
Diaz-Balart, M.
Etheridge
Fattah
Filner
Ford
Fossella
Gonzalez
Gordon
Green (WI)
Gutierrez
Harris
Higgins
Hobson
Honda
Hunter
Israel
Istook
Jefferson
Jenkins
Jones (OH)
Kilpatrick (MI)
Kingston
Kirk
Kucinich
LaTourette
Matsui
McHugh
Michaud
Oxley
Payne
Pryce (OH)
Rahall
Reynolds
Rohrabacher
Ross
Ruppersberger
Shimkus
Simpson
Slaughter
Sodrel
Souder
Stark
Strickland
Sweeney
Taylor (MS)
Terry
Turner
Walden (OR)
Weiner
Young (FL)

□ 1856

Mrs. NAPOLITANO changed her vote from ''nay'' to ''yea.''

So (two thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 322, on H. Res. 199, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

URGING ALBANIA TO ENSURE ELECTIONS TO BE HELD ON JULY 3, 2005, ARE IN ACCORDANCE WITH INTERNATIONAL STANDARDS FOR FREE AND FAIR ELECTIONS

The SPEAKER pro tempore (Mr. PEARCE). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 155.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 155, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 369, nays 1, not voting 63, as follows:

[Roll No. 323]

YEAS—369

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Evans
Everett
Farr
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
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
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Young (AK)

NAYS—1

Paul

NOT VOTING—63

Abercrombie
Bishop (NY)
Boehlert
Brady (PA)
Brown, Corrine
Burton (IN)

Cardin	Hunter	Reynolds
Carson	Israel	Rohrabacher
Culberson	Istook	Ross
Davis (FL)	Jefferson	Ruppersberger
Davis, Tom	Jenkins	Shimkus
Diaz-Balart, L.	Jones (OH)	Simpson
Diaz-Balart, M.	Kilpatrick (MI)	Slaughter
Etheridge	Kingston	Sodrel
Fattah	Kirk	Souder
Filner	Kucinich	Stark
Ford	LaTourette	Strickland
Fossella	Matsui	Sweeney
Gonzalez	McHugh	Taylor (MS)
Gordon	Michaud	Terry
Gutierrez	Murtha	Turner
Harris	Oxley	Walden (OR)
Higgins	Payne	Weiner
Hobson	Pryce (OH)	Wynn
Honda	Rahall	Young (FL)

□ 1915

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 323, on H. Con. Res. 155, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. MATSUI. Mr. Speaker, I was absent on Monday, June 27th and missed the rollcall votes ordered. Had I been present, I would have voted as noted below:

Rollcall vote 322: "yea"; rollcall vote 323: "yea".

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, due to illness I was regrettably delayed in my return to Washington, DC, and therefore unable to be on the House floor for rollcall votes 322 and 323. Had I been here I would have voted "yea" for rollcall vote 323, and "yea" with reservation for rollcall vote 322 on House Resolution 199, which expresses the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995.

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, personal business prevents me from being present for legislative business scheduled for today, Monday, June 27, 2005. Had I been present, I would have voted "yea" on H. Res. 199, a resolution expressing the sense of the House regarding the massacre at Srebrenica in July 1995 (Rollcall No. 322); and "yea" on H. Con. Res. 155, a resolution urging the Government of the Republic of Albania to ensure that the parliamentary elections to be held on July 3, 2005, are conducted in accordance with international standards for free and fair elections (Rollcall No. 323).

PERSONAL EXPLANATION

Mr. OXLEY. Mr. Speaker, I was unavoidably absent from the House floor during rollcall votes on H. Res. 199 (Expressing the sense of the United States House of Representatives regarding the massacre at Srebrenica in July 1995) and H. Con. Res. 155 (Urging the Government of the Republic of Albania to ensure that the parliamentary elections to be held July 3, 2005, are conducted in accordance with international standards for free and fair elections). I was giving a presentation on the 179th Airlift Wing of the Ohio National Guard in Mansfield, OH at the Base Realignment and Closure Commission hearing in Buffalo, New York. Had I been present for the votes I would have voted "yea" for both measures.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall votes 322 and 323.

PRIVATE PROPERTY RIGHTS

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

Mr. PRICE of Georgia. Mr. Speaker, the fifth amendment to the Constitution states that ''No person shall be deprived of life, liberty, or property without due process of law, nor shall private property be taken for public use without just compensation.''

However, that was then.

Thanks to the recent Supreme Court ruling on eminent domain, the fifth amendment has been vastly expanded.

As one Supreme Court Justice stated in the dissent, ''Nothing is to prevent the State from replacing a Motel 6 with a Ritz Carlton, any home with a shopping mall, or any farm with a factory.''

Property rights? There is nothing right about this decision. Now, tax revenues are more important than neighborhoods.

Mr. Speaker, with this decision, the rights of our citizens are now competing with tax revenue and private developments. The Constitution is meant to protect the rights of our citizens, not compete with the bottom line.

What is clear at this moment is that the Supreme Court has thrown the protection of individual property rights right out the window. These Justices need to be reined back in by both State action and loud condemnation of this outrageous finding.

Public use has been redefined so boldly by this Supreme Court decision that it's no wonder citizens are concerned about their homes and property.

In the short term, all states are encouraged to adopt strict and narrow definitions of "public use."

In the long term, we in Congress must determine whether more clarity needs to be brought to the court on this matter.

Remember Jefferson's principle: "The true foundation of republican government is the equal right of every citizen in his person and property and in their management."—Thomas Jefferson to Samuel Kercheval, 1816.

TRIBUTE TO REVEREND BILLY GRAHAM

(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, the Supreme Court acted today, but if any of us want to know what real religious freedom and religious liberty is all about, I rise today to pay tribute to the Reverend Billy Graham.

Though many have said that the series of evangelistic sermons this past weekend in New York may be his last, he is a symbol of what America stands for and appreciates in freedom of religion. He spoke to all people.

I understand that in the early 1960s when it was not appropriate, he invited Dr. Martin Luther King to open one of his evangelistic meetings. He came to Nashville, Tennessee when it was not popular to do so.

In his audience of thousands and thousands over the weekend, we saw the faces of America, many colors, many different persons, many economic conditions. They came to hear the gospel said in an open and free society.

He pushes no agenda. He does not ask for the Ten Commandments to be placed in any place; but, he says, if you believe, then you should accept. That is what true religious freedom and liberty are all about.

That is why I am glad to be an American and believe in the first amendment. I salute the Reverend Billy Graham, a great American and a great patriot.

SHEDDING LIGHT ON THE SUPREME COURT

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

Mr. GOHMERT. Mr. Speaker, with the Supreme Court's decision regarding the Ten Commandments, they basically ruled as they had inferred, during oral arguments, as I witnessed them personally, in their chamber. They made fairly clear through their opinion that the only way the Ten Commandments are supposed to be displayed is if it is done in such a way as to render them completely meaningless.

Now, they just seem to have forgotten the fact that when the Founders and writers of the Constitution were alive, Old Testament scriptures, including the Ten Commandments, were frequently cited as a basis for laws being passed. Now, the majority has become wise in their own eyes to the detriment of the country, but it is only when the Ten Commandments are rendered completely meaningless that you can come out with a decision like we had the last 2 weeks where a city is allowed to take someone's property just because they think somebody may build a bigger, better, more expensive house; they can get more tax dollars.

We need to shed some light in the windowless ivory tower in which these decisions have been made.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEARCE). 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.

SAFER VEHICLES FOR SOLDIERS: A TALE OF DELAYS AND GLITCHES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, I am going to read a bit, which I do not usually do on the floor, from yesterday's New York Times front page, because I think it is so extraordinary and it goes so much to the incompetence and the indifference of Donald Rumsfeld and others in this administration regarding what is going on in Iraq and the lack of protection for our troops.

''When Defense Secretary Donald Rumsfeld visited Iraq last year to tour the Abu Ghraib Prison camp, military officials did not rely on a government-issued Humvee to transport him safely on the ground,'' not even an armored Humvee, that is my own little addition. ''Instead, they turned to Halliburton, the oil services contractor, which lent the Pentagon a rolling fortress of steel called the Rhino Runner.''

Now, no wonder Secretary Rumsfeld goes to Iraq and says everything is going great. He is rolling around in an armored fortress of steel provided by his former employer. Well, I am sorry, the former employer of Vice President CHENEY, Halliburton, riding around in something called a Rhino Runner, which is supposed to be able to withstand a thousand-pound bomb.

Now, our troops are out there, some of them in unarmored Humvees that cannot resist any bomb, bullets, or shrapnel; some of them are in armored Humvees which can resist between 4- and 8-pound bombs, but then there are other options out there.

Back to the New York Times: ''State Department officials traveling in Iraq use armored vehicles that are built with V-shaped hulls to better deflect bullets and bombs. Members of Congress favor another model called the M1117, which can endure 12-pound explosives and 50-caliber, armor-piercing rounds.

''Unlike the Humvee, the Pentagon's vehicle of choice for American troops, the others were designed from scratch to withstand attacks in battlefields like Iraq with no safe zones. Last fall, for instance, a Rhino traveling the treacherous airport road in Baghdad endured a bomb that left a 6-foot-wide crater. The passengers walked away unscathed. 'I have no doubt should I have been in any other vehicle,' wrote an Army captain, 'the lone military passenger, 'the results would have been catastrophically different.'

''Yet more than 2 years into the war, efforts by United States military units to obtain large numbers of these stronger vehicles for soldiers have faltered, even as the Pentagon's program to armor Humvees continues to be plagued by delays, an examination by The New York Times has found.''

And then, the end of last week, we had the revelation about the extraordinary shortages for the Marines.

Mr. Speaker, I guess I should not be surprised when we have a Secretary of Defense who predicted that our troops would be greeted with flowers and candies and sweets; and that the occupation would last, that we would be down to 30,000 troops within 2 months and would not be there longer than 5; that he has been two, four, six, or a hundred steps all the way along the way. But to still deny the reality, because he is riding around in an armored Rhino provided by Halliburton, of our troops, the bitter reality of them in unarmored Humvees, as many Marines still are, and we still hear from time to time of Army units that are out there in unarmored Humvees, although they claim they never go off base anymore; and then to hear that State Department people and Members of Congress get superior vehicles that are not available to the regular troops, this is extraordinary.

More than 2 years into this war, and now this insurgency, and the Pentagon is focused on Star Wars and other fantasies; and the troops still lack basics, things for which we need no technological development. The technology exists, the manufacturers exist, but the will to purchase those vehicles to protect our troops does not exist in Secretary Rumsfeld's higher echelons of the organization.

But, again, he is riding around, he cannot even hear or see the explosions in the Rhino Runner. They probably have the music turned up loud and the AC is blasting away, and he does not have the slightest idea where he is. But the troops sure know where they are; they sure do.

Mr. Speaker, it is time for this embarrassment to end. He should have gone long ago, he should go now, and it is time to start providing the troops the basics they need to come home safe.

THE HIGH COST OF PRESCRIPTION DRUGS IN THE UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, once again I rise to talk tonight about the unfairness of what Americans pay for prescription drugs compared to what consumers pay around the rest of the industrialized world.

I have with me again this chart. Let me just read some of the numbers, the difference between the prices for these drugs at the Metropolitan Pharmacy in Frankfurt, Germany and at one of my pharmacies in Rochester, Minnesota: Nexium, for $60.25 in Germany; $145.33 in the United States.

□ 1930

Norvasc, $19.31 in Germany, $54.83 in the United States. Zyrtec, $34.33 in Germany, $73.02. Prevacid, $35.22, $146.47. Zocor, $23.83 in Germany, $85.39 here. The list goes on. These are 10 of the most commonly prescribed name-brand drugs. The total in Germany, $455.57. The total here in the United States, more than double that, at $1,040.40. Americans pay 128 percent more for exactly the same drugs made in the same plants under the same FDA approval.

But many Members ask me, well, how did you become so involved in this issue? What made you so passionate? I would like to share that story of how I got involved in this issue. A number of years ago I had a town hall meeting and there were some seniors who came to the meetings and they told me about going up to Canada to buy their prescription drugs. And to be honest, it was one of those events where I heard but I did not really listen. And then at a subsequent meeting one of the seniors asked me a very tough question. She said, why are we treated like common criminals for going to Canada to save some dollars on our prescription drugs? Well, I did not have a very good answer.

And then a few months later something happened that had nothing to do with prescription drugs. The price of live hogs in the United States collapsed. The price of pigs dropped from about $37 per hundred weight down to about $7. It was one of the worst catastrophes for American pork producers since the Great Depression. And they did what many constituents do. They called their Congressman and said, can you not do something about this? And I said, well, I do not know what I can do. And they said, well, can you not somehow at least stop all these Canadian pigs from coming into our market, making our supply-demand situation even worse? Is not there something you can do about that, Congressman?

So I called the Secretary of Agriculture, I called the Secretary of Commerce, and I got essentially the same answer. They both said, well, that is called NAFTA. That is called free trade. We have open markets. And finally, to the Secretary of Commerce I said, wait a second; you mean we have open borders when it comes to pork bellies but not when it comes to Prilosec? And he sort of laughed on the other end of the phone and said, well, I guess that is right. And I said, well, that does not sound right to me.

And so this little pilgrimage started there with the price of pigs. And there is something wrong with a system that protects the large pharmaceutical companies, but does nothing to protect our pork producers. And so I began to do research and realized how much more Americans pay.

Now, I do not want price controls. In fact, I do not want people buying their prescription drugs over the Internet. But I think it should be legal. What I really want is American pharmacists to have access to what pharmacists in Europe have. It is called parallel trade. Because that pharmacist in Frankfurt, Germany can go ahead and order his drugs from Sweden or Norway or France or Spain, wherever they can buy them cheapest.

You see, there was a President by the name of Ronald Reagan who said that markets are more powerful than armies. And it really is time that we use market pressures and market forces to help control the runaway prices of prescription drugs. I believe American consumers have a right to that. I believe American consumers have a right to world-class drugs at world-market prices. So I hope Members will join me in this great effort to make certain that we open markets, that we create a competitive market so that Americans can buy Zocor for $30 rather than $85. We are not asking for a free lunch. We are just asking for a fair price.

NICS/GUN SHOW LOOPHOLE/NO FLY, NO BUY

The SPEAKER pro tempore (Mr. KUHL of New York). Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY. Mr. Speaker, many here in this Chamber, each and every one of us came to Congress to try and make a difference, and each one of us are trying to make that difference.

I came to Congress to try and reduce gun violence in this Nation. And many people have heard me talk about this for close to 8½ years now. What I want to talk about tonight are three pieces of legislation that I have and why I feel they are so important, especially in the climate that we have.

We are post-9/11 now, and I think what we need to do is start looking at our gun laws that are here today and how we can make this country safer, certainly being part of our homeland security.

One of the bills that I think is probably extremely important is the NICS Improvement Act. Unfortunately, I had a tragedy back in my district going back 3 years ago, where a person came into one of our local churches and ended up shooting the priest and a parishioner. On further investigation, we found out that New York State actually had a record where he should not have been able to buy a gun. But being that they did not give that information to the NICS system, and we all know that a computer is only as good as the system that has the information in it.

Now, with that we did legislation, it actually passed here in the House by a voice vote, and I think it is important that we get that going again and get that improved.

And another reason why, many of us are experiencing high volumes of gangs in our community. And it was only a few months ago that some gangs that were caught by our local police, who did a great job, traced the guns that these young people had, and they were bought legally in Alabama. And I say that, legally. But, again, if they had tried to buy them in New York, they would have been in the system. They were in the system and basically they would not have been able to buy the gun if the NICS system had the correct information in it.

Right now, 25 States have entered less than 60 percent of the convictions of why some people should not be able to buy guns. Thirteen States do not list domestic violence convictions and restraining orders. And unfortunately, that was one of the things with Mr. Troy, who did the shooting in the parish church. His mother actually had a restraining order on him.

Thirty-three States do not share mental health records. Now, I know there is an argument there that we are picking on people with mental health problems. That is not it. We are saying that people that come under adjudication under the system are denied the right to buy a gun. The privacy issue is kept in place. Mainly, if you are denied on a gun, all it does is come up rejected; it does not say for what area that you were rejected. And I think it is important that we get this bill up on the system. This way we will be able to certainly prevent people that should not be able to buy guns, by law under the 1968 Gun Control Act, which is only enforcing the law that is already on the books. We had terrific bipartisan support in the 107th Congress, and I think it is something that we should be doing to move around.

The gun show loophole. I know we had our battles here on the gun show loophole, but even information again for post, 9/11, the FBI has found that over 40 ''terrorists'' on the terrorist watch list have gone into gun shows and been able to buy AK–47s and other guns.

Now, it is common sense that those that go buy a gun, and 13 States have already passed legislation, it has not stopped anyone from buying a gun. It has not closed down any gun shows, because I know that many of our friends in the Midwest, this is a family weekend. They go out and spend a day there and that is fine. I do not have a problem with that. But I think the majority of people agree with me, if you are going to buy a gun, you need to go through a background check. I think that is the basic law that we could do.

The other thing that really perturbs me, and by the way this actually goes into my third bill, no fly, no buy list. Right now we have a list, a terrorist list, and they are not allowed to get onto a plane. And yet they can go into any gun store, they can go to any gun show and are able to buy a gun. I do not think that makes too much common sense. We should be stopping these people from being able to buy their guns.

Think about what happened here in D.C. a few years ago. One person, two people with a gun, certainly kept D.C. and the surrounding area petrified, and millions of dollars was lost.

Imagine these terrorists. You know, people, I think, are starting to become, feel too safe. We know that terrorists will strike when no one is paying attention. And as long as we pay attention to detail, we can stop these terrorists from doing bodily harm. No fly, no buy.

I understand that when you look at foreign countries, sometimes people are prosecuted. That would not be the same here in this country. We know that there are political reasons why they might be thrown in jail. We have a way of being able to adjudicate that.

And also, the list that I chose for this bill is on a list where people can actually go to it and get off the list. And I think that is important because we certainly do not want to deny anyone.

The three bills that I have introduced are not going to stop anyone from being able to buy a gun. Their second amendment rights are protected.

I made a promise when I came to Congress that I would reduce gun violence in this country. But I also am not here to try and take away the right of anyone to own a gun. That is a personal decision for many of us.

Some of us do not like guns. I used to do skeet shooting. It was not my sport. That is certainly up to me. Yet, I know there are many people around this Nation that like to go hunting. And we have always said, going back since 1994, they will be able to go hunting. We are not trying to take away the right to own the gun. But we must enforce the laws that are on the books and make this a safer country.

CLUB GITMO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, this past weekend I spent part of the weekend down in the Tropics. I went to an island down in the Caribbean. And the place where I went had an ocean view, and the facility is relatively new. Some of the rooms are air-conditioned and some are not. Some of the rooms actually would meet ADA standards for the physically challenged.

The guests that were there, they were not working. They are standing around talking. There is a lot of talking and I noticed that there are soccer courts. There are volleyball courts. There is table tennis, and they are building a new basketball court.

I ate lunch, the same meals that the guests had. The lunch that I had was marinated chicken with orange sauce, rice pilaf, steamed vegetables, plenty of rolls and butter. Some of the guests that are there have even gained up to 5 to 10 pounds while being there.

New medical facilities are there, new dental facilities. The people that are

there average four medical visits a week or, rather, a month. That is more than most Americans do in a year.

The medical personnel there performed 128 surgeries, and no one that has been there, of the 700 guests that have been there, not one has died from any cause. In fact, the medical personnel saved the lives of numerous ones.

They come from all over the world, 24 different countries; 520 of them are there; 2,200 of them have gone back home.

The rooms are very clean. I notice that there are no Gideon Bibles in any of the rooms, but every room has a Koran. You know, American troops do not get U.S.-funded taxpayer Bibles overseas. But all these guests get taxpayer-funded Korans. And of course the staff that is there cannot touch these Korans.

Of course I am talking about Gitmo, the Guantanamo Bay terrorist detention center. These people are prisoners of war and the guards that are there are doing an outstanding job.

Speaking of the Koran, the guards are not permitted to touch the Koran except under rare circumstances. And if they do, they have to wear linen gloves before they can move this Koran to a different cell.

The people that are there are there for two purposes. They are suspected terrorists that are going to be tried for war crimes, like killing people all over the world, many of whom are Americans. The others that are there are being interrogated, those suspected terrorists.

Now I observed those interrogations, Mr. Speaker. There are no abuses. There are no dogs. There is no abuse. The interrogations that took place, neither the interrogator nor the prisoner knew that we were observing. And numerous Members of Congress went this past week and observed these facilities.

One hundred fifty of these individuals have attorneys. Any prisoner that is there that wants an attorney is entitled to have one.

Two hundred of them have been released; in fact, maybe releasing some we should not release, because 12 of the ones that have been released have been either recaptured or killed on the battlefield. One is of particular note. When he was first arrested and captured as a terrorist he had a leg that was infected, so part of it was amputated. And he was fitted with a new prosthesis by American medical personnel. Later released and he was captured, recaptured on the battlefield, and of course he was still wearing that American prosthesis that taxpayers paid for.

These people do not work. You know, even in Texas we work our inmates. Today they are out picking cotton. But they are just there to be observed and to be housed. You know, one of these facilities meets American Corrections Association standards.

And these people, Mr. Speaker, are not nice. They spit on our guards. They throw urine and feces at our guards. And some of these people want to kill Americans.

The guards, Mr. Speaker, are first class. They are from all branches of the service. They have tremendous cooperation with each other, and they make us proud. The accusations of abuse in a dungeon-like facility do a disservice to these troops and the troops in combat.

I had lunch with two of these guards, George Telles and Enrique Lopez, Jr., both Navy sailors that guard cell blocks. And they do us a great honor and a service there.

These inmates are not protected by the Geneva Convention, although we treat them like they are. The Geneva Convention says that POWs, to be a real prisoner of war, they must be in a uniform, they must not have concealed weapons, they must not kill innocents, and they must have a chain of command. And these terrorists violate all four of these rules, but yet we treat them with greater respect than in the Geneva Convention.

The International Red Cross observes the entire facility and has access to all of the prisoners to talk to them on a one-on-one basis. There have been no deaths in Guantanamo. And you know, in prisoner-of-war camps in the past, Americans have died. Back in the war between the States, thousands of prisoners, Confederate and Union soldiers died. In Vietnam, about 9 percent of the Americans in custody there died. In Korea, about 30 percent. In World War II, we know that about 40 percent of Americans in custody in Japan died, all in prisoner-of-war camps, and not one person has died in these.

□ 1945

Amnesty International calls this place a ''gulag.'' Well, these are words from the uninformed elite. They must want ''Club GITMO'' or ''Disney World of the Caribbean.''

Some said to close it down. That is just not appropriate, Mr. Speaker. We probably ought to make it bigger. It would be a crime to close this place down and let these criminals loose on the world. There is a war on terror going on and these people want to kill Americans. They are dangerous. The 20th highjacker of 9/11 is there, and these people need to be tried for war crimes.

Mr. Speaker, I went to Iraq. I have seen what these people have done, these terrorists have done to civilians and to our military. Even one 8-year-old kid was killed while I was there. Mr. Speaker, I am more concerned about Americans being killed by terrorists by beheading and suicide bombers and the welfare of our troops than I am about some terrorist outlaw that is upset because his blueberry muffin gets cold.

SMART SECURITY AND VETERANS FUNDING

The SPEAKER pro tempore (Mr. KUHL of New York). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I rise in sadness and in frustration over the news that the Nation finds itself $1 billion short of the funding that is needed to cover health care for our Nation's veterans this year.

It is bad enough that next year's VA budget will almost surely be inadequate; now we are having trouble paying for this year's needs. Just as the architects of our Iraq policy did not have a plan for winning the peace, it appears that the budget experts in the executive branch did not plan for increased veteran costs associated with the deadly foreign war, a preemptive war that has killed over 1,700 troops and injured more than 13,000, a war that will certainly result in an increased burden on the Veterans Administration.

This shortfall comes on the heels of efforts by the Bush administration to increase veterans prescription drug copayments and to add an enrollment fee to enter the veterans health care system in the first place. There is even talk of classifying veterans in ways that entitle some veterans to benefits and leaves others on the outside looking in.

How is this possible, Mr. Speaker, all the talk of supporting the troops, is this just rhetoric? Is it just bumper sticker boiler plate, or are we really serious about honoring the sacrifices of war and showing our gratitude to those who have risked life and limb on our behalf?

What is even worse is that some people saw this budget problem coming and were ignored or rebuffed. Minority Members in the other Chamber, the Senate, proposed adding money to the VA budget in anticipation of this shortfall, but they were told by the Secretary of Veterans Affairs this spring that no emergency supplemental funds were needed.

Well, guess what? Emergency supplemental funds are needed. And now we either have to get an advance on next year's limited VA appropriations; borrow from other parts of the VA budget; or pass a supplemental bill to fill the gap. One of the key committee Chairs has said that it would be best to avoid a supplemental package. But were they saying that, Mr. Speaker, when we were debating an over-$200 billion supplemental bill to fund the war effort in the first place? It does not make sense to me.

We have no problem approving billions upon billions of dollars and taking on massive debt to send our brave soldiers to Iraq in the first place. And while they are there, we are denying them of the protective body armor and vehicles that would prevent these severe wounds in the first place, and they are returning home more injured than ever. And when they come home, then we start pinching pennies, pinching pennies on their care. Are these the priorities of a great Nation?

Now, it is tempting to see this VA situation as simply an actuarial miscalculation, but it is indicative of something far more serious that we have been seeing over and over again from this administration, a rob-Peter-to-pay-Paul mentality; a tendency to ignore problems until they become crises; a habit of embracing war without accounting for its costs, human or financial.

Mr. Speaker, this is just one example of the way our Iraq policy has been bungled. Not only do we need to bring our troops out of Iraq as soon as realistically possible, a position that the majority of the American people agree with; we need an overhaul of our approach to national security in general.

I have proposed a new plan called SMART Security. SMART stands for Sensible Multi-lateral American Response to Terrorism For the 21st Century. The guiding principle behind SMART is that war should be the absolute last resort. Prevention of war, not preemptive war, which we know from the Downing Street memo was not the thinking on Iraq.

So SMART includes an ambitious international development agenda, democracy building, human rights education, business loans, agricultural assistance and more for the troubled, underdeveloped nations of the world.

SMART is tough, pragmatic, and patriotic. It protects America by relying on the very best of American values: our commitment to freedom, our compassion for the people of the world, and our capacity for multilateral leadership.

HEALTH CARE FOR RURAL AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, my arrival in Congress, it really was about what do I do to make certain that folks in Kansas, people across rural America have a quality of life, that they have the opportunity to put food on the family's table, that they have enough money to save for their retirement and for their kids' college education. But even perhaps more important than that, the goal for me as a policymaker has been what can we do to see that the communities that make up my State are around for a while longer.

Rural America faces many challenges; and among those challenges is an often declining economy, and an economy related to agriculture. But one of the things that became clear to me early on in my time in Congress is access to health care matters. If we care about the future of our communities, we need to make certain that our citizens, the people who live there, can access a physician, can have access to a hospital, that the hospital doors remain open, that there is home health care and nursing home care.

So for much of my time in Congress, I have worked on issues related to the availability of health care. I have been an active member and chaired the Rural Health Care Coalition. And I commend my colleagues who are actively engaged in a group of Republican and Democrat Members of this body who work time and time again to see that good things happen in the delivery of health care in rural America. The goal there has to be to make certain that we are reimbursed, that our providers, our hospitals and physicians and nurses and other health care providers, are reimbursed through Medicare in particular in a way that makes it possible for financially those health care providers to continue to provide the service and that we need to continue to make efforts to reduce the paperwork and bureaucratic burden that increase the cost of providing services, especially in communities where senior citizens comprise a significant component of the population.

Many of the hospitals in the First Congressional District of Kansas, 60, 70, 80, and sometimes even 90 percent of the patients admitted to a hospital seen by our physicians are over the age of 65; and, therefore, Medicare is responsible for payment at least in part of the hospital or physician bill.

During my time in Congress despite this continual focus on access to health care, one other thing has become clear to me. There is an overriding issue that should consume us all. I rise tonight to try to bring to my colleagues' attention the necessity of beginning to address the ever-rising cost of health care.

I am in the middle of 69 townhall meetings. I represent 69 counties in Kansas, and every year I conduct a townhall meeting in each of those counties. I remember the townhall meeting in Hoxie, Kansas. During that townhall meeting, the first question was from a teacher who said, Last year my premiums for my health insurance to the school district that I paid out of my pocket were $450. This year it is $700. What are you going to do about it?

The next question was from the farm implement dealer who said, We are trying to stay afloat here. It has been a difficult year. Drought on the high plains. You know how difficult the agriculture economy is. We are trying to keep our employees insured. We raised our co-payments. We raised our deductibles and our insurance premiums still went up 49 percent. And there was the question, What are you going to do about it?

The third question came from a lady who said, My brother has cancer. He has been in Texas in an experimental treatment program, and he has now returned home to Kansas and his treatment costs are $40,000 a year. My mom and dad and other brothers and sisters, we are all trying to figure out how do we as a family come up with $40,000 a year to take care, to perhaps save my brother's life. Again, the implied question, What are you going to do about it?

So from that townhall meeting several years ago, it has been a growing desire on my part to move the House of Representatives, the Senate, the policymakers, the administration toward addressing the issue of health care costs. I think there are things we can do. It is more than just decrying the problem.

We clearly need more access to primary care physicians. Too much health care is delivered through the emergency room. I commend the Bush administration for their focus on community clinics. That is an important component of making certain that people who could not otherwise afford health care are not showing up at the emergency room, but could access a primary care physician or a nurse practitioner through our community clinics.

We need to focus more on wellness and prevention. I think perhaps the biggest bang for our buck in reducing health care costs is to encourage and to educate citizens of our country about nutrition, about life-style, about habits, about exercise.

Clearly our information technology system has to be overhauled. We have tremendous technology in the delivery of health care, but not in the way that we keep records and provide for their payment. IT needs to be overhauled for better and easier data retrieval. We clearly need to make certain that our reimbursements for our hospitals under Medicare and Medicaid are adequate to cover the costs, otherwise there is simply a cost-shifting onto those who have insurance.

I have been supportive of health savings accounts and opportunities for small businesses to pool their purchasing power to access health care for their patients.

I heard earlier about prescription drugs. We need to continue to work as a body, as a Congress and as policymakers in our Nation's capital to reduce the ever-escalating costs of health care.

RENEGOTIATE CAFTA

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, at a White House news conference earlier this month, President Bush called on Congress to pass CAFTA, the Central American Free Trade Agreement.

Also earlier this month, the most powerful Republican in Congress, the gentleman from Texas (Mr. DELAY), promised a vote by July 4. Actually, it is the third time the gentleman has promised a vote on CAFTA. The first time in 2004 he said there would be a vote on the Central American Free Trade Agreement by the end of the year, December of 2004. Then earlier this year he promised a vote on CAFTA

by Memorial Day, and now he is promising a vote by July 4.

Where I come from, 3 strikes means you are out. As a result, Congress is waiting and waiting and waiting for the CAFTA vote count down to begin. While we wait, the many of us who have been speaking out against the Central American Free Trade Agreement have a message for the gentleman from Texas (Mr. DELAY) and for the President, and that is renegotiate the Central American Free Trade Agreement.

President Bush signed CAFTA more than a year ago. Every trade agreement negotiated by this administration, Australia, Chile, Singapore, Morocco, every trade agreement negotiated by this administration was voted on by this Congress within 60 days of the President signing the agreement. CAFTA has languished in Congress for more than a year without a vote because this wrongheaded trade agreement offends Republicans and Democrats alike.

It offends small manufacturers. It offends labor unions. It offends environmentalists and ranchers and small farmers and food safety advocates. It offends religious leaders in Central America and many religious leaders in this country.

Most importantly, just look what has happened with trade policy in this country in the last 12 years. In 1992, the year I was elected to Congress, the United States had a $38 billion trade deficit. That means we imported $38 billion more than we exported. Today, a dozen years later, in 2004, last year, our trade deficit was $618 billion. From $38 billion to $618 billion in only a dozen years. It is hard to argue that our trade policy is working.

□ 2000

Some people say, well, those are only just numbers, that is the trade deficit; who really cares? What that means is it means a significant loss in manufacturing jobs.

The States in red are States that have lost 20 percent of their manufacturing. The State of Ohio, 216,000 just in the last 5 years; Michigan, 210,000 manufacturing jobs lost; Illinois, 224,000; Pennsylvania, 200,000; Mississippi and Alabama combined, 130,000. In the gentleman from Georgia's (Mr. LEWIS) home State, they have lost between 15 and 20 percent.

These are the States in blue, 107,000. In the gentlewoman from California's (Ms. WATSON) and the gentleman from California's (Mr. BERMAN) State, 354,000 jobs lost.

In State after State after State we have seen hundreds of thousands of manufacturing jobs lost in the last 5 years, not entirely because of but in large part because of failed trade policies. Each one of these jobs translates into the loss of a bread winner, translates into less money for education in the community, less money for police and fire as the tax base shrinks with more and more industrial concerns shutting down.

These are faces of real people, what these numbers represent, and it is hurting an awful lot of families in every one of these States and our country.

As we see, the Central American Free Trade Agreement was negotiated by a select few for a select few. It was negotiated by the U.S. pharmaceutical industry to help the U.S. pharmaceutical industry. It was negotiated by big energy companies in the United States to help big energy companies in the United States. It was negotiated by insurance and financial institutions to help insurance and financial institutions. But it is not helping workers. It is not helping the environment. It is not helping small manufacturers. It is not helping small farmers and small ranchers in our country.

It is the same old story, Mr. Speaker. Every time there is a trade agreement, the President makes three promises. He promises there will be more jobs in the U.S., more manufacturing products that are exported to other countries, and it means better wages and a higher standard of living for workers in the developing country. Yet, with every single trade agreement, their promises fall by the wayside.

Benjamin Franklin said, the definition of insanity is doing the same thing over and over and over and expecting a different result. The President makes the same promises about NAFTA, about PNTR with China, about CAFTA, about every trade agreement over and over and over, and the results are the same: more manufacturing job loss; more stagnation of wages in the developing world where their standard of living does not go up; more plant shutdowns in community after community in our country.

In the face of overwhelming bipartisan opposition, the administration and the gentleman from Texas (Mr. DELAY), the most powerful Republican in the House, have tried every trick in the book to pass this CAFTA. Mr. Speaker, CAFTA is a bad idea. Overwhelming opposition to this agreement says we should renegotiate the Central American Free Trade Agreement.

WAR IN IRAQ

The SPEAKER pro tempore (Mr. KUHL of New York). Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

Mr. OSBORNE. Mr. Speaker, there has been a great deal of debate on this House floor recently about the war in Iraq and not so much about Afghanistan, interestingly, but certainly about Iraq. Some in Congress are clamoring for us to pull out of Iraq immediately. Some want a timetable indicating a date certain when we will withdraw. Some say there is no plan concerning postwar Iraq, no exit strategy. I would like to address each of these points just briefly.

Number 1, we promised the Iraqi people that we would not pull out prematurely. Remember that back in the Gulf War in the early 1990s, we made a similar promise. We did pull out, and thousands of Iraqis died. We have had a very difficult time regaining their trust since. I think to this point we may have regained some of that status and some of that trust.

A date certain on which we will leave Iraq will encourage insurgents to hang on until that date and then intensify the attacks. I think the date certain of withdrawal will certainly be looked upon by many insurgents as a sign that they were winning, a sign of victory. I am sure they would claim victory at that point.

Also, I think it is important that a withdrawal without victory will dishonor the memories of those who have died and sacrificed, and I, for one, would very much hate to go back and face some of those parents and some of those husbands and wives who have lost soldiers in the war and try to tell them that basically their son, their daughter, their husband, or their wife died for no cause at all. That would be very, very difficult for them to swallow.

Then I think most of us who have been overseas, and a great many Members of Congress have, have been to Iraq and Afghanistan and Kuwait, and Landstuhl in Germany to the hospital, and up to Walter Reed, and one thing that we found almost universally is that our soldiers have tremendous morale. They have a very strong sense of mission, and they have a real sense of purpose. Almost to a person the military personnel that I have talked to would tell you that they absolutely do not want to leave this thing undone. They want to make sure there is a sense of accomplishment and a sense of purpose.

Finally, let us address the issue of no plan, that there is no strategy, no exit plan at all. We might refer to this chart here. One year ago, there was one Iraqi military battalion that was trained and equipped. Now there are more than 100 battalions trained and equipped, and those are reflected over here on this 75,791 total of Ministry of Defense forces. Also, in addition, there are 90,883 policemen and other patrol and security guards that have been trained. So it is a total of 170,000 Iraqis who are currently trained and equipped.

I have been to Iraq where I have seen some of this training occur. I have been to Amman, Jordan, where a lot of the police academies are held. So at the present time we are aiming for 270,000, and we are most of the way there. We still have 100,000 to go, and we are training about 10,000 a month. So that means in about 10 months we will be at roughly 270,000.

General Petraeus says there is no shortage of volunteers; we have more people applying for this position than we have slots to fill them at the present time.

So I think we are in reasonably good shape. The exit strategy is obviously to draw down our forces as the Iraqis are able to take control of the situation, and currently, in almost every military action, Iraqis are out in front. There are many areas of Iraq at the present time where there are no U.S. forces. Iraqi forces are totally in control, not a whole lot of those areas, but there are some. So the Iraqis are assuming more and more responsibility for their own protection. At the present time, there are 21,000 fewer Americans in Iraq than there were in January. So there has been some drawdown at the present time.

One of the wild card situations is the Sunnis. Recently, the Sunnis, it was reported, reached a resolution with the Shias and the Kurds as to their role in government. I think if that can be accomplished, then we are in reasonably good shape for a resolution.

A constitution will be written by August 15. It will be approved by October 15, and a new government will be elected on December 15.

So there is a strategy. Progress is being made. It is a very difficult situation. I really, truly believe all Members, both sides of the aisle, are very much in support of our troops. I think it is important that we support them with our votes, with money, with equipment, and also with our words, because our words that are spoken on this House floor and in the press certainly reverberate around the world and al Jazeera.

So I know our troops very much are hoping that we will show unqualified and tremendous resolution in resolving this issue.

INTELLECTUAL PROPERTY PROTECTION AND THE GROKSTER DECISION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

Mr. SCHIFF. Mr. Speaker, today the United States Supreme Court, in a unanimous 9–0 decision, held that peer-to-peer file-swapping companies can be held liable if they promote the use of their sites to infringe copyright. The Grokster decision is a victory for all law-abiding Americans, especially the hardworking and talented individuals that make up our creative industries.

I am pleased that the Supreme Court struck the right balance between the protection of intellectual property and the desire to provide consumers with easy and lawful access to movies, music, and other content. Impressive advances in technology in recent years have produced a host of new and exciting avenues for consumers to access music and other content online. These new technologies, however, have also bred a culture of rampant pirating on the Internet.

Grokster and other peer-to-peer networks have become bastions of illegal activity, providing safe havens for pirates to swap copied versions of copyrighted material without paying a cent. Every day, millions of copyrighted protected movies, songs, computer games, and other pieces of intellectual property are stolen over peer-to-peer networks.

The statistics speak for themselves. Over 90 percent of the file-sharing activity on Grokster is illegal copyright infringement. Of the music files available online, 99 percent are unauthorized, leading to a substantial drop in shipments of music to retailers.

In the last year alone, the number of feature films posted on file-sharing sites more than doubled to 44 million. Some estimates show that as many as 400,000 movies have been downloaded in one day alone.

Last month, it took just a few hours after the latest Star Wars movie opened in theaters for a copy to show up online on a file-sharing site. While so many Americans flocked to movie theaters across the country with their children and families to see the latest episode of this great Hollywood franchise, millions had access to an unauthorized copy of the film online, free for theft and the taking.

Our Nation's economy and creative industries that employ over 5 million Americans suffer a huge blow from the billions of dollars lost annually through illegal downloading. These networks that actively promote illegal activity continue to pose a serious threat to the livelihood of copyright creators and artists, many of whom live in my district.

One of our country's greatest exports, indeed the only area where we have a positive balance of trade with every Nation on earth, is in the area of creative content and our intellectual property, which is derived from the hard work of song writers, technicians, artists, programmers, musicians, independent filmmakers and scores of others who make their living from the lawful sale of these items.

The Supreme Court decision today strikes the right balance by protecting copyright holders from such illegal activity and promoting legal avenues for downloading movies, music, and other works by consumers.

Very simply, the Court decision today codifies an age-old principle: that one man should not profit from the fruit of another man's labor.

As the Court noted, their decision leaves breathing room for innovation, and a vigorous commerce and does nothing to compromise the legitimate commerce or discourage innovation having a lawful purpose.

Today's ruling upholds the principle that technology must and should advance, but not without respecting copyright law. Just moments after today's decision, a new legal peer-to-peer model was unveiled that will incorporate many user benefits common to the peer-to-peer file-sharing experience, and a number of sites have already been launched that offer Internet music downloads at affordable prices without infringing on copyright laws. These positive efforts provide a victory for both consumers and artists.

Today's decision will further encourage and spur even more technological innovation. As a result, consumers will be the ultimate winners as they will have more access to high-quality music, film, and other content on the Internet and elsewhere.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. PRICE) is recognized for 5 minutes.

(Mr. PRICE of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. GOHMERT. Mr. Speaker, I ask to take my Special Order at this time.

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

There was no objection.

BRINGING TROOPS HOME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, as the right honorable gentleman from Nebraska (Mr. OSBORNE), a good friend, former coach, had indicated, there are Members of this body who believe the solution in Iraq is to set a date certain by which we will begin removing or have our troops removed from Iraq. When asked recently if such a strategy would not have been devastating if used in World War II and would not have left Hitler in power, one Congressman said, well, World War II is not really an appropriate comparison. He believed the more appropriate model was that of Vietnam, where we set a time and then we got out.

I do not question anyone's motive here, but for freedom's sake, what in the world kind of a mission is that? The retreat from Vietnam created a vacuum that was filled by dead and mutilated bodies of those we ran out and deserted, and it is one of our darkest and most heinous hours in American history. It is rivaled, however, for its humiliating nature by the very war in Vietnam itself in which we sent soldiers to fight but tied one arm behind their backs and did not give them the equipment and backing to actually win. They were not authorized to win. They were told to just hold what they had. No war can ever be won unless there is a commitment by the government to win.

If we did not learn anything from the wars of the 20th century, it would be obvious here, but in 1979, we had an attack on American soil. That is what it is when someone attacks an American

embassy, and they took hostages of our diplomats and we did nothing. We failed to defend our soil and our people and our diplomats and a terrible message went forward.

□ 2015

We failed to address the attacks properly of the first bombing of the World Trade Center and on the U.S.S. *Cole* and other attacks.

We have sent a terribly erroneous message in the past that America does not have the courage or the stomach to complete the defense of ourselves or to finish what we start. That is what Osama bin Laden has been saying for years. If we just keep attacking, keep up the insurgency, America does not have the stomach to win. We will wear them down.

And now I hear colleagues verifying they do not have the stomach to complete what we started. My colleagues, when I was in Iraq in March, one former general under Saddam looked me in the eyes, a Sunni, and said, If the U.S. will just stay behind us and back us until we get our constitution and have the next election, you will see most of the violence in Iraq stop. The terrorists know how critical it is that this battle go on. They know that if freedom and a free society take hold in Iraq, in a Muslim country in the Middle East, they lose.

Some of the people who now are calling for a date certain to withdraw are some of the same people in 1991 who screamed at former President Bush, stop, stop, do not attack, they are surrendering. Get out. Do not go to Baghdad. And shortly after that, after he did as they implored, they said well, he is just too weak. He did not have the stomach to finish what he started. He was a weak President. He should have done what he started and gone on to Baghdad. Now they are doing the same thing to this President. I thank God he has the backbone to stay in there.

Please, I would encourage my colleagues to not push for a date certain. It would not have worked in World War II or in any war. It tells the opponents, the enemy, that we do not have the stomach to stay in there. We have a plan. We are training policemen, we are training soldiers. They will be able to defend themselves. Let us ensure that Iraq will win the peace and that the terrorists lose.

SUPREME COURT DECISION ON MGM V. GROKSTER

The SPEAKER pro tempore (Mr. KUHL of New York). Under a previous order of the House, the gentleman from California (Mr. BERMAN) is recognized for 5 minutes.

Mr. BERMAN. Mr. Speaker, I want to join with my colleagues, the gentleman from California (Mr. SCHIFF), the gentlewoman from California (Ms. WATSON), the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), and a colleague who wanted to be here as well but could not be, the gentlewoman from California (Mrs. BONO), to react to a unanimous decision that came down today by the Supreme Court in the MGM v. Grokster case.

That ruling is a victory for American innovation. Artists will thrive, be encouraged to create the music and movies we love, and legitimate technology companies that distribute those same movies and music will no longer have to compete with piracy profiteers. Conversely, services that breed a culture of contempt for intellectual property will have to answer for their ill-gotten gains.

In addition to providing us with movies, sound recordings, computer games and software, books and other creative works, the core copyright industry accounts for over 6 percent of the U.S. gross domestic product. Businesses that rely on copyright employ more than 11 million U.S. workers. Unfortunately, the copyright piracy taking place over peer-to-peer networks has become a great threat to the livelihoods of all copyright creators. Therefore, robust protection for creativity is necessary to support everyone from the most famous artists to the completely unknown set designer, from shareholders and executives of studios and R&D record companies and software companies to the many thousands of hourly-wage earners who work for them.

Piracy robs creators and owners of sound recordings and movies of their right to be first in the market. But most harmful, peer-to-peer networks have created a culture where too many consumers, including our children, are accustomed to receiving their choice of entertainment anytime, anyplace, in any format for free, without providing the creator his or her rightful compensation.

In a 9–0 opinion, the Supreme Court has told businesses that facilitate copyright infringement that they will be held directly accountable for their actions. A business cannot model its success on the destruction of another's industry. To paraphrase Justice Kennedy's observation in the oral argument, unlawful expropriated property cannot be used by a business as part of its start-up capital.

This decision ''does nothing to compromise legitimate commerce or discourage innovation having lawful promise.'' It has merely found a balance between the legitimate demand of copyright owners for effective protection and the rights of others to engage in substantially unrelated areas of commerce. Just because the transmission of these files happened in the ether, does not mean that the protection should only be symbolic. Just because we are in a digital age, the definition of stealing does not change. If I go to a store and take a CD without paying for it, I am stealing. If I go to a peer-to-peer network and download a song for free, I am also stealing.

The Supreme Court has instructed businesses: ''You may not entice individuals to commit a moral and legal wrong.'' It is willing to hold businesses responsible for the part they play in promoting theft. It has issued a loud warning that companies will not be allowed to gain from illegal distribution. Those that specifically design their business models to target the demand for copyright infringement will be stuck wearing the bulls-eye.

Shed no tears: these illegitimate peer-to-peer networks are not innovators; they are free riders. Their services make it hard to teach our children about right and wrong. They send adware, spyware, viruses, and pornography on to our computers and into our homes. There are a great many reasons for parents, teachers, creators, and others to rejoice about the message the Supreme Court sent today.

Both the content and tech industry must continue developing innovative and legitimate ways to distribute content so that consumers can access entertainment on a variety of devices. This decision will improve opportunities for legitimate music and movie distribution, putting out of business the black marketeers.

This decision has provided greater protection for intellectual property rights and has provided the tools to effectively combat copyright theft. In turn, it will keep an engine of America's economic growth thriving by promoting innovation and creativity in entertainment and the arts. The decision is also a win for legitimate technology companies. Those who have structured their businesses to distribute content in innovative and legal ways that compensate the creator while providing consumers quality in choice should laud this decision.

The Founding Fathers dealt with pirates on the high seas and had the intuition to address the pirates over the air. They afforded protection in the Constitution for intellectual property rights that serve as the cornerstone of American innovation. The Supreme Court today has helped carry out the mission of article I section 8 of the Constitution by promoting the progress of science and the useful arts.

MGM V. GROKSTER

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATSON) is recognized for 5 minutes.

Ms. WATSON. Mr. Speaker, I would join with my colleagues about today's unanimous decision by the Supreme Court in MGM v. Grokster, for it represents a great triumph for American creativity and innovation. File-sharing companies that actively coax consumers into violating copyright laws can no longer escape legal consequences under the guise of fair use. They will no longer be able to rip off from the talent and the hard work of our Nation's creators. In ruling for our Nation's creative artists, the Supreme Court today struck a proper balance

between the protection of intellectual property rights and the need to expand our technologies.

As a representative of Hollywood, my district contains many movie and recording studios, which serve as the driving force behind our local economy and provide tens of thousands of jobs to many of my constituents. As Chair of the Congressional Entertainment Industries Caucus, one of my key concerns has been the continuing erosion of our Nation's copyright laws.

Let me share some shocking statistics. According to recent FBI data, U.S. producers of movies, music, computer games, and software lost $23 billion in 2003 to illegal copying. In Operation Digital Gridlock, the first Federal law enforcement action against a peer-to-peer network, regulators seized the equivalent of 60,000 illegally distributed movies last August. It is clear to me that piracy of our creative products has reached an epidemic level, both domestically and internationally, creating a huge drain on our economy, job creation, and technological innovation. We are forced to resort to legal actions to help stem this tide of intellectual property theft.

That is why today's Supreme Court ruling was so important. In the unanimous opinion, the Justices held that ''one who distributes a device with the object of promoting its use to infringe copyright is liable for the resulting acts of infringement by third parties using the device, regardless of the device's lawful uses.'' It is this unequivocal guidance from our Nation's highest court that I believe will help enhance the effective enforcement of our Nation's copyright laws and strengthen the public's respect for the value of intellectual property rights.

Of course, efforts to address privacy should not inhibit the continuing growth and development of our digital economy. New technologies should benefit not just the content distributors but the creative forces as well. But as the entertainment and technology sectors work together to utilize file-sharing networks to create new innovative and legal forms of content distribution, I hope today's decision will send a message to all pirates that winking and nodding at digital theft will not be tolerated any more than theft itself. I am confident that the lower courts will carefully apply this well-reasoned opinion in finding Grokster and other similar companies liable for activities that will induce their customers into illegal use of creative products.

GENERAL LEAVE

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject matter of my Special Order.

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

There was no objection.

INTELLECTUAL PROPERTY AND THE GROKSTER DECISION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) is recognized for 5 minutes.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise to applaud the United States Supreme Court for their ruling today in the case of Metro-Goldwyn-Mayer Studios, Incorporated v. Grokster. By a unanimous ruling, 9–0 in favor of MGM, the Supreme Court sent a strong message today that our courts will protect the work of creative artists.

I represent the 39th Congressional District in California. My State, region, and district are home to the motion picture industry, the music industry, and software companies. Many of my constituents work in these creative industries, and I know from talking to them that piracy hits their companies hard and their pocketbooks harder.

Intellectual property is important to our economy as a whole, so copyright infringements also severely damage our national economy. In fact, according to the International Intellectual Property Alliance, in 2002, core copyright industries accounted for over 6 percent of the U.S. gross domestic product. That is over $626 billion. When you look at all copyright industries, they accounted for approximately 12 percent of the U.S. gross domestic product, or $1.25 trillion in 2002 alone.

Obviously, intellectual property is a vital part of our economy, and piracy robs our economy of billions of dollars from this important industry.

□ 2030

Conservative estimates say that counterfeiting of U.S. businesses' copyrighted goods cost our economy between $200–$400 billion each year. When our economy suffers like that, America's workers suffer, too.

The ''core'' copyright industries alone were estimated to have employed 4 percent of U.S. workers in 2002, a total of 5.48 million workers. But piracy causes 750,000 American workers to lose their jobs each year.

This is where intellectual property laws come in and why the Supreme Court decision today in the Grokster is so important. The Court drew a line in the sand in the Grokster case and said that peer-to-peer file-sharing networks that encourage illegal file-sharing should not be shielded by our laws. The ruling protects the creative community but also allows the public to retain access to the benefits of peer-to-peer file-sharing technology.

Mr. Speaker, I love movies and music as much as any consumer, and I use computer software every single day. I am also a fan of the Internet, and I want consumers to be able to use technology to get their favorite music and movies conveniently.

But stealing is stealing. Swapping copyrighted files online is illegal, and just because it is easy doesn't make it right. We can have peer-to-peer networks that give every American access to the files they want online, and also provide creators with copyright protections.

As long as companies like Grokster are allowed to facilitate illegal file swapping, we will continue to lose hundreds of dollars and hundreds of thousands of U.S. jobs each year.

I am pleased that the Supreme Court took the first step today in Grokster towards ending illegal copyright infringement online, and protecting the industries that produce copyrighted works.

Mr. CONYERS. Mr. Speaker, today's ruling is a victory for content creators and consumers. It is clear that those who encourage content theft are responsible for their conduct even if they themselves are not stealing. With this ruling, creators will be encouraged to take advantage of the digital marketplace and provide consumers with even more digital content.

For years, consumers have been clamoring for access to digital content. Because content protection technology and content owners had not caught up with the Internet, music lovers turned to illegal download sites like Napster and Kazaa for digital content.

We had heard that, if the content industry would just create a legal avenue for obtaining digital music, consumers would embrace it. The premonition was largely true. The record industry and high-tech worked together to develop digital content protection, to clear the rights needed to get music online, and to get music on the Internet. According to the Pew Internet and American Life Project, the response to legitimate digital content has been overwhelming: in 2004, only twenty-four percent of music downloaders had tried legitimate download sites; in 2005 to date, the number jumped to forty-three percent.

Internet sites like Apple iTunes, Napster, and Rhapsody offer consumers a variety of ways of obtaining music, from one-time downloads to monthly subscriptions. In just the past few years, over 300 million songs were sold on just a single website. No matter how you view it, the marketplace is working.

Today's Supreme Court decision makes it clear that encouraging others to steal is as nefarious as stealing directly. I have no doubt that, with this added assurance, content creators will roll out even more digital content to consumers.

Mr. ENGEL. Mr. Speaker, I rise to join my Democratic colleagues in support of protecting our Nation's intellectual property. For decades the theft of music and movies has been commonplace. But, with the explosion of the Internet, the theft of copyright material has become a crisis.

Just today, the Supreme Court, in an unanimous decision, stepped forward and protected Intellectual Property. In MGM v Grokster, the Supreme Court struck a fine balance that must exist to ensure consumers' rights and protect music and video content. The Court clearly stated that ''the record is replete with evidence that from the moment Grokster and Streamcast began to distribute free software, each one clearly voiced the objective that recipients use it to download copyrighted works,

and each took active steps to encourage infringement." Neither of these programs offered themselves as legitimate devices such as a VCR. A great majority of users knew and intended to subvert copyright and deny not just the record and movie companies' compensation, but take money out of the pockets of songwriters, studio personnel, camera men and make-up artists.

We are also undertaking an effort to move to digital television. In the future, if the Congress does not act, copying and uploading a broadcast show will be all too easy. Many of us have worked on the "Broadcast Flag," which is a technology that will allow consumers to continue to record a show for later viewing, but prevent the mass redistribution. The Federal Communications Commission had instituted a rule to this end, but the federal courts found the FCC lacked such authority. Thus, it falls on us in Congress to continue to update our laws in the digital era to stop copyright infringement. I hope we can do so quickly or, I fear, the best entertainment will be moved to cable and satellite and be unaffordable to some Americans.

I thank Mr. HOYER and Mr. SCHIFF for arranging this effort and applaud all of my colleagues' commitment to the protection of one of our Nation's most valuable assets.

EMINENT DOMAIN ABUSE

The SPEAKER pro tempore (Mr. KUHL of New York). Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker, I had not intended to be on the floor this evening speaking about this particular issue. As a matter of fact, I was hoping over the next few days I could concentrate all of my time on the Out of Iraq Congressional Caucus that we are working so hard on.

But this is National Homeowner Month, and I could not help but focus on the fact that in America owning your own home is one of the most ideal things that you can do. Americans aspire to own their own homes. We socialize in such a way that we teach our children to go to school, to get an education, to get a good job or have a good career, become an entrepreneur, and buy your home.

And so as I focus on National Homeowner Month, I am outraged that the Supreme Court of the United States of America last Thursday made a decision that local entities could take American's homes in eminent domain proceedings for something other than public use. I am amazed that the Supreme Court of the United States on a 5-to-4 decision, I believe it was, decided that the law, the Constitution as we know it, I think it is the fifth amendment, that says yes, you may use eminent domain for good public use, is something other than what was intended. This ruling says you can take anybody's home for private use. In this case Susette Kelo, the woman from New London, Connecticut, who brought the case, was trying to protect her home from the desire by a huge corporation to build some condominiums.

And so now with this Supreme Court decision, the State, the city, the public entity, can take your home for private use. They can take your home and they can give it to private developers to build shopping centers. They can take your home and give it to developers to build a condominium. They can take your home for any reason that they decide is in the public interest, and they are trying to hide behind the idea that there are some cities and some entities that need to get rid of slums and they need to redevelop in the best interest of the citizens of that community.

Yes, it may go to a private company or to a private corporation and yes, they may get rich from that development. But if the city fathers get together and believe that that somehow is in the best interest and it is already all right, that flies in the face of the Constitution of the United States.

I do not think Members have to be a strict constructionist or a liberal constructionist. All you need is good sense to know that the Constitution of the United States did not mean for your city government or any other entity to be able to ride over your rights and take your private property and give it to somebody else.

As a matter of fact, I think this is dangerous. I think it is dangerous because your city fathers could get together with developers and take land in ways it has never been done before. We know too many stories about the influence of developers on county council members and on city governments. We know too much about the flow of money. We know too much about campaign contributions to those who would just as soon institute eminent domain as do anything.

As a matter of fact, without this interpretation that we got last Thursday, we have city fathers who have tried it, even though they did not have this ruling. You have communities that have to fight against city council members and mayors getting together trying to take their property and at least trying to call it for public use.

But now the Supreme Court has made it clear that they can take it for private use. I do not like it. Members do not have to be a Democrat or Republican, liberal or conservative. Members just need to be an American with good sense that says you will not stand for it.

Mr. Speaker, I am going to get together with some of my friends on the other side of the aisle and we are going to create a law that will undermine this decision of the Supreme Court and take back amendment 5 of the Constitution so we can redefine the meaning in the way it is supposed to be defined.

HONORING THOSE WHO MADE THE ULTIMATE SACRIFICE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Illinois (Mr. EMANUEL) is recognized for 60 minutes as the designee of the minority leader.

Mr. EMANUEL. Mr. Speaker, last week my colleagues and I began a memorial tribute to read the names of over 1,900 men and women who gave their lives in service to our Nation in Afghanistan and Iraq. We read about 860 of those names. We recited the name and rank of each servicemember who fell in Iraq and Afghanistan theaters of war from 2001 through the beginning of 2004.

For the next hour we will continue this reading, honoring the fallen of 2004 and 2005. We will continue to do this reading on the floor of the House, the people's House, until we have recognized all who have given their life in service of this Nation. In this Chamber we often invoke their sacrifice in general, but we seldom take the time to recognize them individually.

By reading these names into the CONGRESSIONAL RECORD, it is our hope that our Nation will never forget their sacrifice. God bless and keep each of the brave Americans whose memory we now honor:

1. Private First Class Marquis A. Whitaker
2. Specialist Jacob R. Herring
3. Staff Sergeant Kendall Thomas
4. Sergeant Adam W. Estep
5. Specialist Martin W. Kondor
6. Sergeant Landis W. Garrison
7. Staff Sergeant Esau G. Patterson Jr.
8. Staff Sergeant Jeffrey F. Dayton
9. Sergeant Ryan M. Campbell
10. Specialist James L. Beckstrand
11. Specialist Justin B. Schmidt
12. Private First Class Ryan E. Reed
13. Private First Class Norman Darling
14. Private First Class Jeremy Ricardo Ewing
15. Petty Officer Second Class Jason B. Dwelley
16. Petty Officer Third Class Christopher M. Dickerson
17. Corporal Scott M. Vincent
18. Corporal Joshua S. Wilfong
19. Specialist Trevor A. Wine
20. Specialist Ramon C. Ojeda
21. Sergeant Joshua S. Ladd.
22. Specialist Ervin Caradine Jr.
23. Private Jeremy L. Drexler
24. Staff Sergeant Todd E. Nunes
25. Petty Officer Second Class Michael C. Anderson
26. Petty Officer Second Class Trace W. Dossett
27. Petty Officer Second Class Scott R. Mchugh
28. Petty Officer Second Class Robert B. Jenkins
29. Petty Officer Third Class Ronald A. Ginther
30. Captain John E. Tipton
31. Gunnery Sergeant Ronald E. Baum
32. Staff Sergeant Erickson H. Petty
33. First Lieutenant Christopher J. Kenny
34. Sergeant Marvin R. Sprayberry III

35. Sergeant Gregory L. Wahl
36. Private First Class Lyndon A. Marcus Jr.
37. Corporal Jeffrey G. Green
38. Private First Class Jesse R. Buryj
39. Specialist James E. Marshall
40. Private First Class Bradley G. Kritzer
41. Corporal Dustin H. Schrage
42. Staff Sergeant Hesley Box Jr.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia.

43. Specialist Philip D. Brown
44. Specialist Isela Rubalcava
45. Specialist Chase R. Whitman
46. Specialist James J. Holmes
47. Sergeant Rodney A. Murray
48. Private First Class Andrew L. Tuazon
49. Specialist Kyle A. Brinlee
50. Specialist Jeffrey R. Shaver
51. Lance Corporal Jeremiah E. Savage
52. Private First Class Brandon C. Sturdy
53. Private First Class Brian K. Cutter
54. Specialist Philip I. Spakosky
55. Sergeant Brud J. Cronkite
56. Command Sergeant Major Edward C. Barnhill
57. Private First Class Michael A. Mora
58. Sergeant James William Harlan
59. Staff Sergeant Rene Ledesma
60. Senior Airman Pedro I. Espaillat Jr.
61. Second Lieutenant Leonard M. Cowherd Jr.
62. Specialist Carl F. Curran
63. Specialist Mark Joseph Kasecky
64. Lance Corporal Bob W. Roberts
65. Staff Sergeant Joseph P. Garyantes
66. Specialist Marcos O. Nolasco
67. Staff Sergeant William D. Chaney
68. Private First Class Michael M. Carey
69. Specialist Michael C. Campbell
70. Sergeant First Class Troy ''Leon'' Miranda
71. Private First Class Leslie D. Jackson
72. Corporal Rudy Salas
73. Staff Sergeant Jeremy R. Horton
74. Lance Corporal Andrew J. Zabierek
75. Staff Sergeant Jorge A. Molina Bautista
76. Specialist Jeremy L. Ridlen
77. Specialist Beau R. Beaulieu
78. Private First Class Owen D. Witt
79. Private First Class James P. Lambert
80. Private First Class Richard H. Rosas
81. Sergeant Kevin F. Sheehan
82. Specialist Alan N. Bean Jr.
83. Private First Class Daniel Paul Unger
84. Corporal Matthew C. Henderson
85. Lance Corporal Kyle W. Codner
86. Corporal Dominique J. Nicolas
87. Lance Corporal Benjamin R. Gonzalez
88. Specialist Michael J. Wiesemann
89. Private First Class Cody S. Calavan
90. Lance Corporal Rafael Reynosasuarez

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91. Specialist Charles E. Odums II
92. Private Bradli N. Coleman
93. Sergeant Aaron C. Elandt
94. Private First Class Nicholaus E. Zimmer
95. First Lieutenant Kenneth Michael Ballard
96. Captain Robert C. Scheetz Jr.
97. Lance Corporal Dustin L. Sides
98. Private First Class Markus J. Johnson
99. Corporal Bumrok Lee
100. Lance Corporal Todd J. Bolding
101. Specialist Christopher M. Duffy
102. Sergeant Frank T. Carvill
103. Specialist Justin W. Linden
104. Sergeant Justin L. Eyerly
105. First Lieutenant Erik S. McCrae
106. Specialist Ryan E. Doltz
107. Sergeant Humberto F. Timoteo
108. Sergeant Melvin Y. Mora Lopez
109. Private First Class Melissa J. Hobart
110. Sergeant Jamie A. Gray
111. Lance Corporal Jeremy L. Bohlman
112. Captain Humayun S. M. Khan
113. Private First Class Thomas D. Caughman
114. Specialist Eric S. McKinley
115. Private First Class Shawn M. Atkins
116. Sergeant Arthur S. (Stacey) Mastrapa
117. Specialist Jeremy M. Dimaranan
118. Major Paul R. Syverson III
119. Specialist Thai Vue
120. Private First Class Jason N. Lynch
121. Private First Class Sean Horn
122. Staff Sergeant Marvin Best
123. Staff Sergeant Gregory V. Pennington
124. Lance Corporal Pedro Contreras
125. Corporal Tommy L. Parker Jr.
126. Lance Corporal Deshon E. Otey

Mr. EMANUEL. Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO.

127. Lance Corporal Juan Lopez
128. First Lieutenant Andre D. Tyson
129. Sergeant Patrick R. McCaffrey Sr.
130. Staff Sergeant Charles A. Kiser
131. Captain Christopher S. Cash
132. Specialist Daniel A. Desens
133. Lance Corporal Manuel A. Ceniceros
134. Specialist Jeremy M. Heines
135. First Sergeant Ernest E. Utt
136. Lance Corporal Patrick R. Adle
137. Sergeant Alan David Sherman
138. Corporal John H. Todd III
139. Specialist Robert L. DuSang
140. Sergeant Kenneth Conde Jr.
141. Lance Corporal Timothy R. Creager
142. Sergeant Christopher A. Wagener
143. Staff Sergeant Stephen G. Martin
144. Lance Corporal James B. Huston Jr.
145. Second Lieutenant Brian D. Smith
146. Corporal Dallas L. Kerns
147. Lance Corporal Michael S. Torres
148. Lance Corporal John J. Vangyzen IV
149. Lance Corporal Scott Eugene Dougherty
150. Private First Class Rodricka Antwan Youmans
151. Corporal Jeffrey D. Lawrence
152. Lance Corporal Justin T. Hunt
153. Private First Class Samuel R. Bowen
154. Sergeant Michael C. Barkey
155. Specialist Jeremiah W. Schmunk
156. Sergeant Robert E. Colvill Jr.
157. Specialist Joseph M. Garmback Jr.
158. Specialist William River Emanuel IV
159. Specialist Sonny Gene Sampler
160. Private First Class Collier Edwin Barcus
161. Specialist Shawn M. Davies
162. Corporal Terry Holmes
163. Sergeant Krisna Nachampassak
164. Private First Class Christopher J. Reed
165. Staff Sergeant Trevor Spink
166. Sergeant First Class Linda Ann Tarango-Griess
167. Sergeant Jeremy J. Fischer
168. Staff Sergeant Dustin W. Peters
169. Sergeant James G. West
170. Specialist Dana N. Wilson
171. Private First Class Torry D. Harris
172. Corporal Demetrius Lamont Rice
173. Private First Class Jesse J. Martinez
174. Staff Sergeant Paul C. Mardis Jr.
175. Lance Corporal Bryan P. Kelly
176. Specialist Craig S. Frank
177. Sergeant First Class David A. Hartman
178. Sergeant Dale Thomas Lloyd
179. Private First Class Charles C. ''C.C.'' Persing
180. Staff Sergeant Michael J. Clark
181. Corporal Todd J. Godwin
182. Specialist Danny B. Daniels II
183. Lance Corporal Mark E. Engel
184. Private First Class Nicholas H. Blodgett
185. Sergeant Tatjana Reed
186. Private First Class Torey J. Dantzler
187. Lance Corporal Vincent M. Sullivan
188. Specialist Nicholas J. Zangara
189. Sergeant DeForest L. ''Dee'' Talbert
190. Private First Class Ken W. Leisten
191. Gunnery Sergeant Shawn A. Lane
192. Lieutenant Colonel David S. Greene
193. Specialist Joseph F. Herndon II
194. Specialist Anthony J. Dixon
195. Specialist Armando Hernandez
196. Sergeant Juan Calderon Jr.
197. Specialist Justin B. Onwordi
198. Corporal Dean P. Pratt
199. Private First Class Harry N. Shondee Jr.
200. Sergeant Tommy L. Gray
201. Captain Gregory A. Ratzlaff
202. Gunnery Sergeant Elia P. Fontecchio

203. Lance Corporal Joseph L. Nice
204. Sergeant Yadir G. Reynoso
205. Private First Class Raymond J. Faulstich, Jr.
206. Specialist Donald R. McCune
207. Sergeant Moses Daniel Rocha
208. Specialist Joshua I. Bunch
209. Lance Corporal Larry L. Wells
210. Corporal Roberto Abad

Mr. EMANUEL. Mr. Speaker, I yield to the gentleman from Washington State (Mr. BAIRD).

Mr. BAIRD.

211. Private First Class David L. Potter
212. Lance Corporal Jonathan W. Collins
213. Civilian Rick A. Ulbright
214. Captain Andrew R. Houghton
215. Staff Sergeant John R. Howard
216. Lance Corporal Tavon L. Hubbard
217. Captain Michael Yury Tarlavsky
218. Lance Corporal Nicholas B. Morrison
219. Lance Corporal Kane M. Funke
220. First Lieutenant Neil Anthony Santoriello
221. Sergeant Daniel Michael Shepherd
222. Second Lieutenant James Michael Goins
223. Private First Class Brandon R. Sapp
224. Private First Class Geoffrey Perez
225. Private First Class Fernando B. Hannon
226. Specialist Mark Anthony Zapata
227. Sergeant David M. Heath
228. Lance Corporal Caleb J. Powers
229. Specialist Brandon T. Titus
230. Lance Corporal Dustin R. Fitzgerald
231. Sergeant Harvey Emmett Parkerson III
232. Specialist Jacob D. Martir
233. Private First Class Henry C. Risner
234. Sergeant Richard M. Lord
235. Corporal Brad Preston McCormick
236. First Lieutenant Charles L. Wilkins III
237. Private First Class Ryan A. Martin
238. Corporal Nicanor Alvarez
239. Sergeant Jason Cook
240. Lance Corporal Seth Huston
241. Private First Class Nachez Washalanta
242. Private First Class Kevin A. Cuming
243. Gunnery Sergeant Edward T. Reeder
244. Second Lieutenant Matthew R. Stovall
245. Corporal Christopher Belchik
246. Staff Sergeant Robert C. Thornton, Jr.
247. Staff Sergeant Donald N. Davis
248. Lance Corporal Jacob R. Lugo
249. Lance Corporal Alexander S. Arredondo
250. Specialist Charles L. Neeley
251. Specialist Marco D. Ross
252. Private First Class Nicholas M. Skinner
253. Corporal Barton R. Humlhanz
254. Specialist Omead H. Razani
255. Lance Corporal Nickalous N. Aldrich
256. Private First Class Luis A. Perez
257. Sergeant Edgar E. Lopez
258. Airman First Class Carl L. Anderson, Jr.
259. Staff Sergeant Aaron N. Holleyman
260. Specialist Joseph C. Thibodeaux III
261. Lance Corporal Nicholas Wilt
262. Lance Corporal Nicholas Perez
263. Captain Alan Rowe
264. First Lieutenant Ronald Winchester
265. Petty Officer Third Class Eric L. Knott
266. Sergeant Shawna M. Morrison
267. Specialist Charles R. Lamb
268. Private First Class Ryan Michael McCauley
269. Staff Sergeant Gary A. Vaillant
270. Staff Sergeant Elvis Bourdon
271. Specialist Tomas Garces
272. Specialist Brandon Michael Read
273. Private First Class Devin J. Grella
274. Captain John J. Boria
275. Private First Class David Paul Burridge
276. Lance Corporal Derek L. Gardner
277. Lance Corporal Quinn A. Keith
278. Lance Corporal Joseph C. McCarthy
279. Corporal Mick R. Nygardbekowsky
280. Lance Corporal Lamont N. Wilson
281. Specialist Clarence Adams III
282. Specialist Yoe M. Aneiros
283. First Lieutenant Timothy E. Price
284. Specialist Chad H. Drake
285. Lance Corporal Michael J. Allred
286. Specialist Lauro G. DeLeon, Jr.
287. Private First Class Jason L. Sparks
288. Sergeant James Daniel Faulkner
289. Specialist Michael A. Martinez
290. Specialist Edgar P. Daclan, Jr.
291. Petty Officer Third Class David A. Cedergren
292. First Lieutenant Alexander E. Wetherbee
293. Private First Class Jason T. Poindexter
294. Specialist Benjamin W. Isenberg

And I would like to conclude by acknowledging Regina Clark, who became the first Washington State woman to die in the war when a suicide bomber attacked her convoy in Fallujah. She was one my constituents, a single mother who leaves behind an 18-year-old son. Our thoughts and prayers are with Regina's son, the rest of her family, and with the familes and loved ones of all our Nation's fallen heroes.

Mr. EMANUEL. Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY.

295. Staff Sergeant David J. Weisenburg
296. Lance Corporal Cesar F. Machado-Olmos
297. Lance Corporal Michael J. Halal
298. Lance Corporal Dominic C. Brown
299. Staff Sergeant Guy Stanley Hagy, Jr.
300. Sergeant Carl Thomas
301. Lance Corporal Mathew D. Puckett
302. Corporal Adrian V. Soltau
303. Corporal Jaygee Ngirmidol Meluat
304. Sergeant Jacob H. Demand
305. Major Kevin M. Shea
306. First Lieutenant Tyler Hall Brown
307. Lance Corporal Drew M. Uhles
308. Lance Corporal Gregory C. Howman
309. First Lieutenant Andrew K. Stern
310. Corporal Steven A. Rintamaki
311. Corporal Christopher S. Ebert
312. Sergeant Thomas Chad Rosenbaum
313. Private First Class James W. Price
314. Sergeant Brandon E. Adams
315. Specialist Joshua J. Henry
316. Lance Corporal Steven C. T. Cates
317. Sergeant Foster L. Harrington
318. Private First Class Nathan E. Stahl
319. Staff Sergeant Lance J. Koenig
320. Private First Class Adam J. Harris
321. Sergeant Skipper Soram
322. Sergeant Benjamin K. Smith
323. Lance Corporal Aaron Boyles
324. Lance Corporal Ramon Mateo
325. Sergeant Timothy Folmar
326. Second Lieutenant Ryan Leduc
327. Specialist David W. Johnson
328. Specialist Clifford L. Moxley, Jr.
329. Specialist Robert Oliver Unruh
330. Captain Eric L. Allton
331. Specialist Gregory A. Cox
332. Sergeant First Class Joselito O. Villanueva
333. Private First Class Kenneth L. Sickels
334. Sergeant Tyler D. Prewitt
335. Private First Class Joshua K. Titcomb
336. Staff Sergeant Mike A. Dennie
337. Specialist Rodney A. Jones
338. Staff Sergeant Darren J. Cunningham

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339. Specialist Allen Nolan
340. Sergeant Michael A. Uvanni
341. Sergeant Jack Taft Hennessy
342. Sergeant Christopher S. Potts
343. Sergeant Russell L. Collier
344. Staff Sergeant James L. Pettaway, Jr.
345. Staff Sergeant Richard L. Morgan, Jr.
346. Specialist Jessica L. Cawvey
347. Private Jeungjin Na ''Nikky'' Kim
348. Specialist Morgen N. Jacobs
349. Staff Sergeant Michael S. Voss
350. Sergeant Andrew W. Brown
351. Private First Class Andrew Halverson

352. Private Carson J. Ramsey
353. Private First Class James E. Prevete
354. Sergeant Pamela G. Osbourne
355. Private First Class Anthony W. Monroe
356. Staff Sergeant Michael Lee Burbank
357. Private First Class Aaron J. Rusin
358. Private First Class Oscar A. Martinez
359. Corporal Ian T. Zook
360. Specialist Christopher A. Merville
361. Lance Corporal Daniel R. Wyatt
362. Captain Dennis L. Pintor
363. Specialist Michael S. Weger
364. Specialist Jaime Moreno
365. Specialist Jeremy F. Regnier
366. Lieutenant Colonel Mark P. Phelan
367. Major Charles R. Soltes, Jr.
368. Second Lieutenant Paul M. Felsberg
369. Lance Corporal Victor A. Gonzalez
370. Specialist Ronald W. Baker
371. Staff Sergeant Omer T. Hawkins II
372. Specialist Bradley S. Beard
373. Private First Class Mark A. Barbret
374. Specialist Josiah H. Vandertulip
375. Private David L. Waters
376. Specialist Alan J. Burgess
377. Corporal William I. Salazar
378. Specialist Jonathan J. Santos

Mr. EMANUEL. Mr. Speaker, I yield to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY.

379. Sergeant Michael G. Owen
380. Lance Corporal Brian K. Schramm
381. Captain Christopher B. Johnson
382. Chief Warrant Officer William I. Brennan
383. Specialist Andrew C. Ehrlich
384. Sergeant Douglas E. Bascom
385. Lance Corporal Jonathan E. Gadsden
386. Sergeant Dennis J. Boles
387. Lance Corporal Richard Patrick Slocum
388. Corporal Brian Oliveira
389. Staff Sergeant Jerome Lemon
390. Private First Class Stephen P. Downing II
391. Specialist Segun Frederick Akintade
392. Sergeant First Class Michael Battles, Sr.
393. Sergeant Maurice Keith Fortune
394. Private First Class John Lukac
395. Sergeant Kelley L. Courtney
396. Private First Class Andrew G. Riedel
397. Lance Corporal John T. Byrd II
398. Corporal Christopher J. Lapka
399. Lance Corporal Travis A. Fox
400. Lance Corporal Michael P. Scarborough
401. Lance Corporal Jeremy D. Bow
402. First Lieutenant Matthew D. Lynch
403. Sergeant Charles Joseph Webb
404. Specialist Cody L. Wentz
405. Corporal Jeremiah A. Baro
406. Lance Corporal Jared P. Hubbard
407. Sergeant Carlos M. Camacho-Rivera
408. Private Justin R. Yoemans
409. Specialist Brian K. Baker
410. Lance Corporal Sean M. Langley
411. Specialist Quoc Binh Tran
412. Lance Corporal Thomas J. Zapp
413. Corporal Robert P. Warns II
414. Specialist Don Allen Clary
415. Staff Sergeant Clinton Lee Wisdom
416. Staff Sergeant David G. Ries
417. Lance Corporal Branden P. Ramey
418. Lance Corporal Shane K. O'Donnell
419. Corporal Nathaniel T. Hammond
420. Specialist Bryan L. Freeman
421. Corporal Joshua D. Palmer
422. Lance Corporal Jeffrey Lam
423. Lance Corporal Abraham Simpson
424. Sergeant David M. Caruso
425. Sergeant John Byron Trotter
426. Staff Sergeant Todd R. Cornell
427. Staff Sergeant Russell L. Slay
428. Lance Corporal Nathan R. Wood
429. Lance Corporal Nicholas D. Larson
430. Corporal William C. James
431. Lance Corporal Juan E. Segura
432. Sergeant Lonny D. Wells
433. Command Sergeant Major Steven W. Faulkenburg
434. Specialist Travis A. Babbitt
435. Master Sergeant Steven E. Auchman
436. Major Horst Gerhard ''Gary'' Moore
437. Lance Corporal Wesley J. Canning
438. Private First Class Dennis J. Miller, Jr.
439. Staff Sergeant Michael C. Ottolini
440. Corporal Romulo J. Jimenez II
441. Lance Corporal Aaron C. Pickering
442. Staff Sergeant Gene Ramirez
443. Lance Corporal Erick J. Hodges
444. First Lieutenant Dan T. Malcom, Jr.
445. Petty Officer Third Class Julian Woods
446. Lance Corporal Kyle W. Burns
447. Second Lieutenant James P. ''JP'' Blecksmith
448. Staff Sergeant Theodore S. ''Sam'' Holder II
449. Corporal Theodore A. Bowling
450. Specialist Thomas K. Doerflinger
451. Staff Sergeant Sean P. Huey
452. Corporal Peter J. Giannopoulos
453. Lance Corporal Justin D. Reppuhn
454. Lance Corporal Nicholas H. Anderson
455. Sergeant James C. ''J.C.'' Matteson
456. Lance Corporal Brian A. Medina
457. Lance Corporal David M. Branning
458. Sergeant Jonathan B. Shields
459. First Lieutenant Edward D. Iwan
460. Corporal Brian P. Prening
461. Corporal Nathan R. Anderson
462. Sergeant Morgan W. Strader

Mr. EMANUEL. Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE.

463. Corporal Jarrod L. Maher
464. Specialist Raymond L. White
465. Sergeant Byron W. Norwood
466. Lance Corporal Justin M. Ellsworth
467. Corporal Kevin J. Dempsey
468. Specialist Jose A. Velez
469. Lance Corporal Benjamin S. Bryan
470. Lance Corporal Justin D. McLeese
471. Lance Corporal Victor R. Lu
472. Captain Sean P. Sims
473. Private First Class Cole W. Larsen
474. Sergeant Catalin D. Dima
475. Corporal Nicholas L. Ziolkowski
476. Corporal Andres H. Perez
477. Corporal Dale A. Burger, Jr.
478. Lance Corporal George J. Payton
479. Private First Class Isaiah R. Hunt
480. Lance Corporal Travis R. Desiato
481. Lance Corporal Bradley L. Parker
482. Lance Corporal Shane E. Kielion
483. Corporal Marc T. Ryan
484. Lance Corporal Jeramy A. Ailes
485. Sergeant Rafael Peralta
486. Lance Corporal James E. Swain
487. Captain Patrick Marc M. Rapicault
488. Lance Corporal Antoine D. Smith
489. Corporal Lance M. Thompson
490. Lance Corporal William L. Miller
491. Private First Class Jose Ricardo Flores-Mejia
492. Specialist Daniel James McConnell
493. Staff Sergeant Marshall H. Caddy
494. First Lieutenant Luke C. Wullenwaber
495. Sergeant Christopher T. Heflin
496. Lance Corporal Louis W. Qualls
497. Lance Corporal Michael Wayne Hanks
498. Lance Corporal Luis A. Figueroa
499. Sergeant Joseph M. Nolan
500. Lance Corporal Michael A. Downey
501. Lance Corporal Dimitrios Gavriel
502. Lance Corporal Phillip G. West
503. Corporal Bradley Thomas Arms
504. Lance Corporal Demarkus D. Brown
505. Specialist David L. Roustum
506. Lance Corporal Joseph T. Welke
507. Sergeant Jack Bryant, Jr.
508. Corporal Joseph J. Heredia
509. Specialist Blain M. Ebert
510. Corporal Michael R. Cohen
511. Sergeant Benjamin C. Edinger
512. Sergeant Nicholas S. Nolte
513. Specialist Sergio R. Diaz Varela
514. Private First Class Ryan J. Cantafio
515. Lance Corporal Jeffery Scott Holmes
516. Corporal Gentian Marku
517. Private Brian K. Grant
518. Private First Class Harrison J. Meyer
519. Lance Corporal Jordan D. Winkler

520. Lance Corporal Bradley M. Faircloth
521. Lance Corporal David B. Houck
522. Corporal Kirk J. Bosselmann
523. Sergeant Michael A. Smith
524. Specialist Jeremy E. Christensen
525. Lance Corporal Joshua E. Lucero
526. Lance Corporal Adam R. Brooks
527. Lance Corporal Charles A. Hanson, Jr.
528. Sergeant Trinidad R. Martinezluis
529. Staff Sergeant Michael B. Shackelford
530. Sergeant Carl W. Lee
531. Private First Class Stephen C. Benish
532. Sergeant Christian P. Engeldrum
533. Private First Class Wilfredo F. Urbina
534. Specialist Daryl A. Davis
535. Specialist Erik W. Hayes
536. Lance Corporal Blake A. Magaoay
537. Sergeant Jose Guereca, Jr.
538. Sergeant Pablo A. Calderon
539. Specialist David M. Fisher
540. Gunnery Sergeant Javier Obleas-Prado Pena
541. Corporal Zachary A. Kolda
542. Corporal Bryan S. Wilson
543. Private First Class George Daniel Harrison
544. Specialist David P. Mahlenbrock
545. Staff Sergeant Henry E. Irizarry
546. Corporal Binh N. Le

Mr. EMANUEL. Mr. Speaker, I reclaim my time.

547. Corporal Matthew A. Wyatt
548. Sergeant Michael L. Boatright
549. Sergeant Cari Anne Gasiewicz
550. Staff Sergeant Salamo J. Tuialuuluu
551. Sergeant David A. Mitts
552. Corporal Joseph O. Behnke
553. Staff Sergeant Marvin Lee Trost III
554. Staff Sergeant Kyle A. Eggers
555. Specialist Edwin William Roodhouse
556. Private First Class Andrew M. Ward
557. Corporal In C. Kim
558. Captain Mark N. Stubenhofer
559. Sergeant First Class Todd Clayton Gibbs
560. Sergeant Arthur C. Williams IV
561. Private First Class Christopher S. Adlesperger
562. First Lieutenant Andrew C. Shields
563. Chief Warrant Officer Patrick D. Leach
564. Corporal Kyle J. Renehan
565. Lance Corporal Gregory P. Rund
566. Specialist Robert W. Hoyt
567. Lance Corporal Jeffery S. Blanton
568. Staff Sergeant Melvin L. Blazer
569. Lance Corporal Hilario F. Lopez
570. Corporal Jason S. Clairday
571. Corporal Ian W. Stewart
572. Sergeant Jeffrey L. Kirk
573. Lance Corporal Joshua W. Dickinson
574. Private First Class Joshua A. Ramsey
575. Sergeant Tina Safaira Time
576. Lance Corporal Richard D. Warner
577. Private First Class Brent T. Vroman
578. Specialist Victor A. Martinez
579. Corporal Michael D. Anderson
580. Lance Corporal Franklin A. Sweger
581. Sergeant Barry K. Meza
582. Staff Sergeant Donald B. Farmer
583. Sergeant Lynn Robert Poulin, Sr.
584. Specialist Thomas John Dostie
585. Specialist Nicholas C. ''Nick'' Mason
586. Sergeant David A. Ruhren
587. Sergeant First Class Paul D. Karpowich
588. Chief Petty Officer Joel Egan Baldwin
589. Specialist Cory Michael Hewitt
590. Private First Class Lionel Ayro
591. Specialist Jonathan Castro
592. Captain William W. Jacobsen, Jr.
593. Staff Sergeant Robert S. Johnson
594. Staff Sergeant Julian S. Melo
595. Staff Sergeant Darren D. Van Komen
596. Sergeant Major Robert D. O'Dell
597. Lance Corporal Neil D. Petsche
598. First Lieutenant Christopher W. Barnett
599. Lance Corporal Eric Hillenburg
600. Lance Corporal James R. Phillips
601. Corporal Raleigh C. Smith
602. Staff Sergeant Todd D. Olson

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603. Specialist José A. Rivera-Serrano
604. Seaman Pablito Peña Briones, Jr.
605. Staff Sergeant Jason A. Lehto
606. Staff Sergeant Nathaniel J. Nyren
607. Private First Class Oscar Sanchez
608. Specialist Craig L. Nelson
609. Sergeant Damien T. Ficek
610. Lance Corporal Jason E. Smith
611. Lance Corporal Brian P. Parrello
612. Specialist Jeff LeBrun
613. Sergeant Thomas E. Houser
614. Specialist Jimmy D. Buie
615. Private Cory R. Depew
616. Specialist Joshua S. Marcum
617. Specialist Jeremy W. McHalffey
618. Sergeant Bennie J. Washington
619. Private First Class Curtis L. Wooten III
620. Sergeant Christopher J. Babin
621. Specialist Bradley J. Bergeron
622. Lance Corporal Julio C. Cisneros-Alvarez
623. Sergeant First Class Kurt J. Comeaux
624. Sergeant Zachariah Scott Davis
625. Specialist Huey P. L. Fassbender
626. Specialist Armand L. Frickey
627. Specialist Warren A. Murphy
628. Private First Class Kenneth G. Vonronn
629. Private First Class Daniel F. Guastaferro
630. Corporal Joseph E. Fite
631. Specialist Dwayne James McFarlane, Jr.
632. Staff Sergeant William F. Manuel
633. Sergeant Robert Wesley Sweeney III
634. Specialist Michael J. Smith
635. Private First Class Gunnar D. Becker
636. Lance Corporal Matthew W. Holloway
637. Sergeant First Class Brian A. Mack
638. Lance Corporal Juan Rodrigo Rodriguez Velasco
639. Corporal Paul C. Holter III
640. Sergeant Jayton D. Patterson
641. Sergeant Nathaniel T. Swindell
642. Specialist Alain L. Kamolvathin
643. Private First Class Jesus Fonseca
644. Private First Class George R. Geer
645. Private First Class Francis C. Obaji
646. Staff Sergeant Thomas E. Vitagliano
647. Captain Christopher J. Sullivan
648. Sergeant Kyle William Childress
649. Captain Joe Fenton Lusk II
650. First Lieutenant Nainoa K. Hoe
651. Staff Sergeant José C. Rangel
652. Sergeant Leonard W. Adams
653. Sergeant Michael C. Carlson
654. Private First Class Jesus A. Leon-Perez
655. Sergeant Javier Marin, Jr.
656. Staff Sergeant Joseph W. Stevens
657. Sergeant Brett D. Swank
658. Captain Paul C. Alaniz
659. Staff Sergeant Brian D. Bland
660. Corporal Jonathan W. Bowling
661. Specialist Taylor J. Burk
662. Lance Corporal Jonathan Edward Etterling
663. Sergeant Michael W. Finke, Jr.
664. First Lieutenant Travis J. Fuller
665. Corporal Timothy M. Gibson
666. Corporal Richard A Gilbert, Jr.
667. Captain Lyle L. Gordon
668. Corporal Kyle J. Grimes
669. Lance Corporal Tony L. Hernandez
670. Lance Corporal Brian C. Hopper
671. Petty Officer Third Class John Daniel House
672. Lance Corporal Saeed Jafarkhani-Torshizi, Jr.
673. Corporal Stephen P. Johnson
674. Corporal Sean P. Kelly
675. Staff Sergeant Dexter S. Kimble
676. Sergeant William S. Kinzer, Jr.
677. Lance Corporal Allan Klein
678. Corporal Timothy A. Knight
679. Lance Corporal Karl R. Linn
680. Lance Corporal Fred L. Maciel
681. Corporal James Lee Moore
682. Corporal Nathaniel K. Moore
683. Lance Corporal Mourad Ragimov
684. Lance Corporal Rhonald Dain Rairdan
685. Lance Corporal Hector Ramos
686. Lance Corporal Gael Saintvil
687. Corporal Nathan A. Schubert
688. Lance Corporal Darrell J. Schumann
689. First Lieutenant Dustin M. Shumney
690. Corporal Matthew R. Smith
691. Lance Corporal Joseph B. Spence
692. Lance Corporal Michael L. Starr, Jr.

693. Sergeant Jesse W. Strong
694. Corporal Christopher L. Weaver
695. Corporal Jonathan S. Beatty
696. Private First Class Kevin M. Luna
697. Captain Orlando A. Bonilla
698. Private First Class Stephen A. Castellano
699. Specialist Michael S. Evans II
700. Sergeant Andrew K. Farrar, Jr.
701. Chief Warrant Officer Charles S. Jones
702. Specialist Christopher J. Ramsey
703. Staff Sergeant Jonathan Ray Reed
704. Staff Sergeant Joseph E. Rodriguez
705. Specialist Lyle W. Rymer II
706. Sergeant First Class Mickey E. Zaun
707. Civilian Barbara Heald
708. Lieutenant Commander Edward E. Jack
709. Sergeant Lindsey T. James
710. Lieutenant Commander Keith Edward Taylor
711. Private First Class James H. Miller IV
712. Lance Corporal Nazario Serrano
713. Lance Corporal Jason C. Redifer
714. Lance Corporal Harry R. Swain IV
715. Sergeant First Class Mark C. Warren
716. Corporal Christopher E. Zimny
717. Specialist Robert T. Hendrickson
718. Lance Corporal Sean P. Maher
719. Captain Sean Lee Brock
720. Lance Corporal Richard C. Clifton
721. Sergeant First Class Sean Michael Cooley
722. Sergeant Stephen R. Sherman
723. Sergeant Daniel Torres
724. Staff Sergeant Steven G. Bayow
725. Lance Corporal Travis M. Wichlacz
726. Specialist Jeremy O. Allmon
727. Staff Sergeant Zachary Ryan Wobler
728. Specialist Jeffrey S. Henthorn
729. Sergeant Jessica M. Housby
730. Staff Sergeant William T. Robbins
731. Lance Corporal Richard A. Perez, Jr.
732. Staff Sergeant Kristopher L. Shepherd
733. Specialist Robert A. McNail
734. Staff Sergeant Ray Rangel
735. Sergeant Chad W. Lake
736. Sergeant Rene Knox, Jr.
737. Specialist Dakotah L. Gooding
738. Private First Class David J. Brangman
739. Sergeant First Class David J. Salie
740. Private First Class Michael A. Arciola
741. Specialist Justin B. Carter
742. Specialist Katrina Lani Bell-Johnson
743. Specialist Joseph A. Rahaim
744. Sergeant Timothy R. Osbey
745. Sergeant Adam J. Plumondore
746. Staff Sergeant Jason R. Hendrix
747. Sergeant Christopher M. Pusateri
748. Sergeant Frank B. Hernandez
749. Sergeant Carlos J. Gil
750. Specialist Seth R. Trahan
751. First Lieutenant Adam Malson
752. Corporal Kevin Michael Clarke
753. Specialist Clinton R. Gertson
754. First Lieutenant Jason G. Timmerman
755. Staff Sergeant David F. Day
756. Sergeant Jesse M. Lhotka
757. Corporal John T. Olson
758. Lance Corporal Trevor D. Aston
759. Staff Sergeant Eric M. Steffeney
760. Sergeant Nicholas J. Olivier
761. Specialist Jacob C. Palmatier
762. Staff Sergeant Daniel G. Gresham
763. Staff Sergeant Alexander B. Crackel
764. Specialist Michael S. Deem
765. Specialist Jason L. Moski
766. Specialist Adam Noel Brewer
767. Private First Class Colby M. Farnan
768. Private First Class Chassan S. Henry
769. Lance Corporal Andrew W. Nowacki
770. Private First Class Min-Su Choi
771. Private Landon S. Giles
772. Private First Class Danny L. Anderson
773. Second Lieutenant Richard Bryan Gienau
774. Sergeant Julio E. Negron
775. Specialist Lizbeth Robles
777. Specialist Azhar Ali
778. Sergeant First Class Michael D. Jones
779. Sergeant Seth K. Garceau
780. Corporal Stephen M. McGowan
781. Specialist Wade Michael Twyman
782. Sergeant First Class Donald W. Eacho
783. Captain Sean Grimes
784. Specialist Adriana N. Salem
785. Staff Sergeant Juan M. Solorio
786. Sergeant Andrew L. Bossert
787. Private First Class Michael W. Franklin
788. Specialist Matthew A. Koch
789. Petty Officer First Class Alec Mazur
790. Specialist Nicholas E. Wilson
791. Staff Sergeant Donald D. Griffith Jr.
792. Lance Corporal Joshua L. Torrence
793. Specialist Paul M. Heltzel
794. Staff Sergeant Ricky A. Kieffer
795. Staff Sergeant Shane M. Koele
796. Specialist Rocky D. Payne
797. Private First Class Lee A. Lewis Jr.
798. Specialist Jonathan A. Hughes
799. Sergeant Paul W. Thomason III

Mr. Speaker, I would like to thank the Members from both sides of the aisle who have participated over the last two days in reading the names into the CONGRESSIONAL RECORD of those fellow citizens who have fallen both in Iraq and in Afghanistan. My colleagues and I will continue this tribute on other evenings as we finish up the over 1,900 fellow Americans who have given their lives, and intend to continue by recognizing each of our fallen heroes by name on the floor of the people's House.

On behalf of my colleagues, I would also like to take this opportunity to thank the brave men and women and their families who continue to serve our Nation in Iraq and Afghanistan. Our thoughts and prayers are with you and your families.

HOMELAND SECURITY

The SPEAKER pro tempore (Mr. MCHENRY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Pennsylvania (Mr. DENT) is recognized for 60 minutes as the designee of the majority leader.

Mr. DENT. Mr. Speaker, tonight we will be engaging in a discussion about our Nation's homeland security. I will be joined by several of my colleagues here tonight who have some very interesting thoughts and perspectives they would like to share with the American people on this most important issue. Homeland security is a matter of concern to all Americans, irrespective of their political affiliation. This is especially true in the United States Congress. The Committee on Homeland Security, of which I am a member, reflects our national concern.

In the last 6 months, our committee has sent to the floor of the House some very important legislation designed to make America's borders, ports, and transportation facilities less vulnerable to terrorist attack or other catastrophe. One such bill is H.R. 1544, the Faster and Smarter Funding For First Responders Act of 2005.

Prior to this bill, grant funding for first responders tasked with responding to homeland emergencies was provided in equal percentage to all States with an allowance upward for population. Because these funds are distributed without regard to safeguarding against risk, there were many documented abuses within the system. Of the $6.3 billion in grants appropriated by Congress and awarded by the Department of Homeland Security since fiscal year 2002, only 31 percent of those funds have been spent. Let me repeat: of the $6.3 billion in grants appropriated by Congress and awarded by the Department of Homeland Security since fiscal year 2002, only 31 percent of those funds have been spent.

My own home State of Pennsylvania, that State has only spent 17 percent of these homeland security funds. Hundreds of millions of dollars earmarked for homeland projects are currently unaccounted for. Moreover, in some instances, local communities received these funds, but utilized them in ways that were not consistent with the promotion of our homeland security.

□ 2130

The chart I have here, and I will have those displayed in a moment, but these charts that I have here highlight some of the most egregious examples of misspent homeland security funds:

In Washington, DC, Dale Carnegie public speaking training for sanitation workers, $100,000 was spent. These were homeland security dollars we are talking about.

Again in Washington, DC, a rap song to teach children emergency preparedness, $100,000.

Santa Clara County, California, four Segway scooters to transport bomb squad personnel at a cost of $18,000.

Mason County, Washington, biochemical decontamination units left sitting in a warehouse for more than a year, with no one trained to use it, $63,000.

South Dakota, on-site paging system for the State agricultural fair at $29,995.

Converse, Texas, a trailer to transport lawnmowers to lawnmower drag races, $3,000.

Des Moines, Iowa, traffic cones, State of Missouri, 13,000 HazMat suits for every law enforcement official at $7.2 million.

Tiptonville, Tennessee, purchases totaling $183,000 including a Gator all-terrain vehicle at $8,700 and two defibrillators, one for use at high school basketball games, $5,200.

Washington, DC, computerized car towing service, $300,000. Again, we are talking about homeland security funds here.

Montgomery County, Maryland, 8 large screen plasma television monitors for $160,000.

Prince Georges County, Maryland, digital camera system used for mug shots at a half million dollars.

Newark, New Jersey, air-conditioned garbage trucks at a quarter million dollars.

H.R. 1544 seeks to rectify this deplorable situation by awarding grant funds based on risk. It requires that moneys be disbursed to those areas where threat vulnerability and consequence of attack is the greatest. It provides priority assistance to those first responders and first preventers that in fact are facing the highest risk. It streamlines the process by which local authorities can apply for and receive terrorism preparedness grants. It establishes specific flexible and measurable goals for the Department of Homeland Security and promotes the development of national standards for first responder equipment and training. It encourages regional cooperation to increase emergency preparedness. It follows the recommendations of the 9/11 Commission which had this to say about the prior funding formula: ''Homeland Security assistance should be based strictly on an assessment of risks and vulnerabilities. Federal Homeland Security assistance should not remain a program for general revenue sharing. It should supplement State and local resources based on the risk or vulnerabilities that merit additional support. Congress should not use this money as pork barrel.'' That was the 9/11 Commission.

By directing grant funding to threatened areas without regard to politics, H.R. 1544 has become a key part of the national security reforms necessitated by the September 11 attacks.

The second piece of legislation that reflects the Homeland Security Committee's bipartisan commitment to the preservation of homeland security is H.R. 1817, the Homeland Security Authorization Act for fiscal year 2006. This act promotes our national security in a number of different areas. To help secure our porous borders it authorizes funds to hire 2,000 new border patrol agents. In addition, it provides $40 million so that local law enforcement agencies have access to the training required to apprehend illegal immigrants, some of whom may be involved in terrorist activities. To safeguard the cargo coming into our ports, it provides money to promote risk-based screening of containers in transit to the United States. The Container Security Initiative, or CSI, is a Department of Homeland Security initiative or program that places customs employees at 36 foreign ports to target and inspect these containers before they can gain entry to the United States. H.R. 1817 not only funds the existing program, but also makes provisions to expand inspections to approximately 50 ports.

Finally, with regard to deterring a nuclear or biological attack, the act promotes the improvement of the department's intelligence-gathering capabilities that is necessary to detect incoming threats and to develop the means to prevent these efforts.

H.R. 1817 provides the authorization to maintain the funds necessary to keep the country secure, while H.R. 2360, the Homeland Security Appropriations Act for Fiscal Year 2006, appropriates the moneys required to do the job. Our committee has approved $30.85 billion for operations and activities of the Department of Homeland Security. This represents an increase of $1.37 billion over fiscal year 2005 and $1.3 billion above the President's budget request. As with the authorization bill, border security is a high priority in this legislation. We have appropriated $1.61 billion for border security and an additional $3.2 billion for customs enforcement, which will allow the Bureau for Immigration and Customs Enforcement, or ICE, to hire an additional 150 criminal investigators and 200 immigration enforcement agents. We have appropriated $188 million to develop vehicle and cargo inspection technologies and we have given the Coast Guard $2.6 billion to perform its homeland security missions.

H.R. 2360 also helps local first responders perform their vital homeland security mission. Among other expenditures we have earmarked $200 million for a first responders training, $400 million for State and local law enforcement terrorism prevention programs and $600 million for firefighter grants. Since September 11, 2001, Congress has provided over $32 billion to first responders. Again, since September 11, 2001, Congress has provided over $32 billion to our first responders, including terrorism prevention and preparedness, general law enforcement, firefighter assistance, airport security, seaport security, and public health preparedness. And this year's share of that funding comes to approximately $3.6 billion.

Finally, H.R. 2360 goes a long way toward helping us to maintain security at our transportation hubs and places deemed to be critical infrastructure. We have directed moneys for air cargo security, rail security and trucking security. We have earmarked $1.3 billion toward research and development, including $651 million to develop radiological, nuclear, chemical, biological and high explosives countermeasures designed to protect power plants, other industrial properties, and the people that work in or live near those particular facilities. These programs are expensive, but no mission is more important than safeguarding the country against the threat of attack by chemical, biological or nuclear agents, unthinkable attacks, and we are doing all we can to protect ourselves.

These three bills, taken together, the First Responders Act, the Homeland Security Authorization Act, and Homeland Security Appropriations Act reveal that the gentleman from California (Chairman COX), an extraordinary man who the President quite wisely nominated to become the head of the Securities and Exchange Commission, he has done an outstanding job. Chairman COX and the rest of the Homeland Security Committee possess the highest possible commitment to keeping our Nation safe from terrorist attack and from other catastrophic events. While all these measures were thoroughly debated in the committee, they all passed to the floor with relative ease, a testament to the timeless adage that so aptly characterizes our political process. In America, debates over homeland security, like those regarding partisan politics, end at the water's edge.

And with that I would like now to turn to some of my colleagues who have joined me here tonight from the Homeland Security Committee, each of whom, many of whom, bring very interesting skills and background to this issue. And the first Member of the committee I would like to draw your attention to introduce is a good friend, my colleague from the 10th district of Texas. In addition to working on the International Relations and Science Committees, he also serves with me on, as I mentioned, the Homeland Security Committee where he is assigned to the Subcommittee on the Prevention of Nuclear and Biological Attack and the Subcommittee on Management, Integration and Oversight.

My colleague is a former Texas deputy attorney general and chief of terrorism and national security in the Department of Justice for the Western Judicial District of Texas. Further, because of his expertise in homeland security affairs, the Governor of Texas

appointed him to be the adviser to the Governor's office on homeland security. So with that, I would like to introduce to all of you my good friend from the 10th District of Texas (Mr. MCCAUL).

Mr. MCCAUL. Mr. Speaker, I would like to also thank the gentleman from Pennsylvania (Mr. DENT) for managing this important debate on probably what is the most important issue facing this Nation today. As we heard the names of the men and women who served in Iraq and Afghanistan who paid the ultimate sacrifice just a few minutes ago in this Chamber, I say to the families, we remember. We thank you. We will never forget.

Every day I meet, it is part of our job, we meet with the families who have lost loved ones over there. And they all tell me the same thing, and that is, finish the job; I do not want my son to have died in vain. And finish the job we will. We thank you for your sacrifice fighting this war on terror abroad so that we do not have to face it here at home. And it has made this Nation more secure in our homeland.

Back home, this Congress has moved faster than ever in passing legislation, which, among other things, fulfills the 9/11 Commission's recommendations by bolstering the security along our borders and sending the badly needed funding to those areas of our Nation that terrorists still see as targets. Indeed, recently the Homeland Security Committee visited Ground Zero. The tragic events of 9/11 are still very much alive and well in that city. We met with the police commissioner. We met with the Liberty Street Firehouse, the fallen heroes, the families who survived that tragic day, who lost so many people. And I can tell you, you can feel it. It is as if it happened just yesterday.

And everything we do in this Congress is to provide the tools necessary to ensure that another 9/11 never happens again in this country. The need for this hard-hitting legislation comes from the United States grave and growing problem with undocumented aliens. An estimated 8 to 12 million undocumented aliens are here in the United States, and it is also estimated that two slip across the border for every one that is apprehended. That means that almost 3 million undocumented aliens enter our country every year; to put it in perspective, roughly the size of the city of Dallas. And in the post-9/11 world, these figures no longer represent just an immigration problem, but rather one of national security.

This Nation is being compromised by our inability to identify those who are coming into our country. And I am convinced that the first step we need to take to solve this problem is to secure our borders and to better enforce the laws currently on the books. Congress knows that immigration plays a major part in our national security. Accordingly, we have provided more than $1.5 billion in spending for border protection, immigration enforcement, and related activities in the 109th Congress.

When combining the homeland security authorization and appropriations bill that the House has passed, Congress has supplied funding for all 2,000 new border patrol agents that were recommended by the 9/11 Commission and fully authorized by last year's intelligence reform bill. These agents will have greater authority to detain and incarcerate illegal immigrants, instead of sending them back into our communities with a notice to appear in court, something very few abide by.

Indeed, we do not have to look too far back in history to see an example of this when Ramsey Yusef entered our country in 1992 and was apprehended. He too was given a notice to appear. He too failed to show up to the hearing, and instead he joined his fellow colleagues from the bin Laden academy to join the first al Qaeda cell in the United States. He then conspired to blow up the World Trade Center. Fortunately, he was not successful. But that day would come later and his dream would be realized with Osama bin Laden's dream to bring down the towers that fateful day.

□ 2145

But I say to you, the days of this catch-and-release policy are numbered. Congress has also worked hard to ensure that when border patrol agents catch undocumented aliens, we now have somewhere to hold them before they are extradited. Congress has funded over 4,000 new detention beds to help our Federal law enforcement uphold our Nation's immigration laws.

Our Federal law enforcement officers are being stretched too thin and being asked to do too much. According to current law, immigration laws can only be enforced by Federal law enforcement officials. Couple that with existing sanctuary policies in most of our big cities and one can easily see why our Federal officers have such a difficult time enforcing the laws on our borders.

This is why I offered an amendment to the Homeland Security Authorization Bill that would fund local law enforcement training at Federal facilities in order to create a force multiplier so that our Federal law enforcement gets the assistance it needs.

These additions will crack down on illegal immigration in between our borders and ultimately lessen the threat of terrorism.

Congress has also passed legislation to make America's first responders more expeditious and more effective by improving the process by which they receive their resources. The Faster and Smarter Funding For First Responders Act guarantees that the States with the biggest risk and the greatest threats receive the necessary funding to protect their communities. My home State of Texas, for example, currently ranks last in the amount of homeland security dollars received per person. And that in a State which claims an international border, the Western White House, and a prominent State capital.

Texas and other States like New York should be receiving more money than those other States with fewer targets. And by closing these gaps in the defense of our homeland, we have learned what our weaknesses are and how to better prepare for, defend against, and preempt a terrorist plot.

Those like al Qaeda who wish to do harm to America have a track record of being patient and conspiring until they succeed in their terrorist agenda.

In my former job, I was chief of counterterrorism in the Justice Department, I had the Mexican border, the State capital, I had the President's ranch. I can tell you the threat is very much still alive in this country, and we need to give law enforcement every tool necessary to protect us and to fight this war on terror not just abroad but at home.

And with that in mind, this body has moved to address that threat. The House passage of the 2006 Homeland Security Authorization and Appropriations Act and Faster and Smarter Funding For First Responder Act send a clear message to our enemies that we will not stand idly by while they plot to do harm to our Nation.

As the President stated, we will not waiver, we will not tire, we will not falter, and we will not fail. Peace and freedom will prevail.

Mr. DENT. The next speaker tonight who will be joining us in this discuss on homeland security is another good friend who brings to us a great deal of experience. I would like to introduce to you now my colleague from the third district of California. In addition to working on the Committee on the Judiciary and the Committee on the Budget, he also serves with me on the Committee on Homeland Security where he is assigned to the Subcommittee on Prevention of Nuclear and Biological Attack and the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment.

My colleague is a former attorney general for the State of California, that State's top law enforcement officer; and he is strongly committed to enhancing the quality and depth of congressional oversight of our government's intelligence gathering and analysis in the provision of homeland security. I would like to introduce the gentleman from California (Mr. DANIEL E. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I thank the gentleman and commend him for having this Special Order.

When we talk about homeland security, we have to talk about those investigative techniques that are necessary for us to be able to forestall terrorism, terrorist attacks on our homeland; and one of the points I would like to make is prompted by comments that aids to the ranking Democrat on the Committee on the Judiciary of the United

States Senate said that he would introduce legislation aimed at limiting the government's ability to detain material witnesses indefinitely.

The reason I mention this is that this is just a part of an overall criticism of this technique of the investigative community. As a matter of fact, the New York Times recently described it this way: that we, that is the Federal Government, are ''thrust into a Kafkaesque world of indefinite detention without charges, secret evidence, and baseless accusations.'' Dozens of people, some were held for weeks and even months and the majority were never even charged with a crime. The Times seethes, did ''the Bush administration twist the American system of due process.''

An interesting article appeared today in the National Review by Andrew McCarthy, who is a former Federal prosecutor who has actually prosecuted some of the major terrorist cases in this country, that aptly responds to these criticisms of this effort by the Federal law enforcement community.

He says, In point of fact, material witness detentions have been with us for decades pursuant to duly enacted law, that is, section 3144 of title 18 of the U.S. Code. They were used countless times prior to 9/11. Hysteria aside, it should come as no surprise that these are detentions without charges since by definition the person being detained is being detained as a witness, not being charged with a crime.

What would require baseless accusations would be to hold such a person as a defendant, which is precisely what the government refrains from doing in detaining on material witness law. The proceedings, moreover, involve secret evidence only in the sense that all proceedings before the grand jury, whether they involve terrorism, unlawful gambling or anything in between, are secret Under Federal law. The left of course well knows that when investigative information about its champions seeps into the public domain, it routinely complains about the reprehensible violation of grand jury secrecy rules, a useful diversion from dealing with the substance of any suspicions.

Mr. McCarthy goes on, There were many, many people who were identified in that investigation of having had some connection or another with the 19 suicide attackers and their al Qaeda support network. Some of those connections seem intimate, some attenuated; but all of them had to be run down. Just imagine what the 9/11 Commission would have said if they had not been.

So here is the problem, says Andrew McCarthy. You identify a large number of people who at a minimum have information that might be vital to protecting against terrorist attacks and who might in fact be terrorists or at least facilitators. It is very early in the investigation, so you do not have sufficient evidence to charge them with a crime or to say conclusively either that they are not dangerous or they are willing to tell you what they know rather than flee.

What do you do? It would be irresponsible to do nothing, but you cannot watch these people 24–7. There are not anywhere close enough agents for that. Well, the law does not require you to do nothing. The law which existed before 9/11 but used here permits the government to detain people for a brief time in order to compel their information either in the grand jury or some other court proceedings.

Contrary to what you might think from the latest spate of coverage and from the comments to aides of the ranking member of the Judiciary Committee on the Senate side, the government may not sweep innocent people up and hold them in secret.

While grand jury proceedings are supposed to be kept from the New York Times, for instance, they are not kept secret from the court. A prosecutor has to go to court and get a material witness arrest warrant. This means the arrest does not happen unless the government satisfies a Federal judge that there is a reasonable basis to believe, A, the person at issue has information that would be important to an ongoing investigation and, B, the person might flee without providing that information to the grand jury or the court unless the person is detained until his testimony can be secured.

And that is not all. Mr. McCarthy goes on to tell us the arrested witness, even though he is not being charged with a crime, is given the same kinds of protections that are afforded to actual defendants. The witness must promptly be presented upon arrest to a judge so that a neutral official can advise him of why he is being held. More significantly, counsel is immediately appointed for him at public expense if he cannot afford an attorney. Indeed, if he is a foreign national, the United States is obligated by law to advise him that he is right to have his consulate advised of his arrest. And frequently the consulate will not only obtain counsel on behalf of its citizen but will also closely monitor the case, including by demands for information from the U.S. State Department.

The lawyer is given information about why the witness is being detained. Counsel is permitted to be present at any interview of the witness by the government. And although counsel is not permitted to accompany the witness inside the Federal grand jury, no witness, material or otherwise, has that right, the government is not permitted to interview the witness outside the grand jury unless counsel allows it.

In addition, at any time during the course of the detention, counsel is permitted to make a bail application to the court; and if the judge is satisfied that the bail offered vitiates the risk of flight, the witness is freed on the promise to appear for his testimony.

Furthermore, if at any point the length of detention or the condition of the witness's confinement actually offend the witness's fundamental rights, counsel may submit a habeas corpus petition seeking the witness's immediate release.

Mr. Speaker, I have to ask, how is that Kafkaesque? How is that somehow putting people outside the bounds of law? How is that having this administration twisting the Constitution in some way?

It is, I would suggest, Mr. Speaker, this kind of hyperbole, this kind of misstatement which makes it more difficult for us to do our duty with respect to homeland security. We need to have those investigative tools that have been used against organized crime, that have been used against organized drug dealers and organizations. We need to be able to use those same investigative techniques, those same prosecutorial tools against those who would destroy us as a Nation, against those who have allied with those who have said it is their duty to kill any American, man, woman or child, anywhere in the world, combatant or noncombatant.

We are in a new world, a world of terror, in which we have to respond in ways that, yes, are consistent with the Constitution, but ways that allow us to protect ourselves in a proper and forceful way. And these kinds of criticisms that come from the outside, whether it is with respect to Guantanamo or whether it is with respect to the use of laws which allow our application of the law against material witnesses, these kinds of attacks weaken our ability to do the job.

And with respect to my second point, let me talk briefly about what we have done here in the House of Representatives to respond to the demand for us to respond to this unique challenge that is the challenge of terrorism.

One cannot criticize a Congress for responding as best it could in the direct aftermath of 9/11. One cannot criticize Congress for doing as Congress always does in attempting to respond to some problems, throwing money at it. But one can criticize Congress at a time it has to take a pause and look at what it has done and seen what it can perhaps do better. And that is what we have done with the various bills that we have passed out of the House that were mentioned by the gentleman from Texas (Mr. MCCAUL).

One of the things that we did in that was respond to the recommendations of the 9/11 Commission report when they said homeland security assistance should be based strictly on an objective, non-political assessment of risks and vulnerabilities. These assessments should consider the threat of an attack, localities vulnerability to an attack, and the possible consequences of an attack.

Secondly, they told us, Congress should not use this money as a pork barrel. Third, they said, Federal homeland security assistance should not remain a program for general revenue

sharing. Fourth, they told us, the Federal Government should develop specific benchmarks for evaluating community needs and require that spending decisions be made in accordance with those benchmarks. Fifth, they told us, each State receiving funds should provide an analysis of how funds are allocated and spent within the State.

Finally, they said, each city and State should have a minimum infrastructure for emergency response.

□ 2200

This is precisely what we have done with the two bills that have been mentioned before. We have said that rational risk assessment should drive our strategy, should drive our tactics and should drive our funding.

The House Committee on Homeland Security, with the leadership of the gentleman from California (Chairman COX), reported out the Faster and Smarter Funding for First Responders Act. This bill will reduce the across-the-board formula for providing homeland security funds to State and local responders from .75 to .25 percent. Therefore, under this bill, a greater amount of funds will be disbursed solely based on risk assessment.

In April of this year new-Secretary Michael Chertoff testified before our committee regarding the need within DHS to promote risk-based prioritization and management. He said one of the goals before him is to ''build a culture in which the disparate pieces of information are being transmitted to our analysts so that they, who have the benefit of the fuller picture, can properly analyze all of our information and inform our decision-making.'' We do need to make informed decisions.

So, Mr. Speaker, I thank the gentleman for having this Special Order this evening for us to have an opportunity to recount some of the things that are necessary for us to do to provide for the defense of our homeland and understand that this threat remains.

The biggest challenge we have here today is that the longer we are successful in forestalling terrorist attacks, the more difficult it is to explain to people why we need to continue to keep our defenses up, the harder it is to explain that these things do not happen by happenstance. Rather, it is because of strong work done by brave men and women involved in the protection of our homeland that allow us to be safer than we would be otherwise.

The worst thing we could possibly do is to not maintain our persistence and our dedication, our true dedication to doing those things that are necessary to protect it, despite the criticism of those who easily look at law enforcement, look at homeland security, the community, and saying they are going too far too fast.

Contrary to that, we know we have not done enough, and while we in the Congress are required to provide the oversight to ensure that there are not abuses in the system and to ensure that no prosecutor, no law enforcement agent takes advantage of those tools we have given them, we also must make sure that they are not cowed by criticism from doing the job that they need to do.

I thank the gentleman for the time.

Mr. DENT. Mr. Speaker, I would like to thank the gentleman from Texas (Mr. MCCAUL) and the gentleman from California (Mr. DANIEL E. LUNGREN). I think we have heard quite clearly from these individuals who have tremendous and deep experience in law enforcement in their States. They bring a perspective here that is very valuable to the Committee on Homeland Security and, frankly, to the security of our Nation.

The next person I would like to introduce tonight also has a great deal of experience in law enforcement. Actually, he has 33 years of experience as a first responder. He was the sheriff of King County, Washington. That is the Seattle area, for those of you not from the State of Washington, but the gentleman from Washington's (Mr. REICHERT) Eighth District, again, is just loaded with experience as a first responder or a first preventer.

Mr. Speaker, I yield to the gentleman from Washington (Mr. REICHERT), my colleague, former sheriff and extraordinary member of the Committee on Homeland Security.

Mr. REICHERT. Mr. Speaker, I thank my good friend from Pennsylvania and commend him for sponsoring this hour tonight.

We have heard about the Faster Smarter First Responder Act. We have talked about risk assessment. We have talked about the PATRIOT Act. We have talked about better cooperation and those things that we have done as members of the Committee on Homeland Security to support first responders.

As a freshman Member and law enforcement officer of 33 years, as my friend has indicated, I am honored to be a member of the Committee on Homeland Security to represent the thoughts, ideas, needs and concerns of first responders across the Nation. The role of the first responder has changed since September 11, and it is important that we recognize that and equip them accordingly. In the first months of this session, we have given them priority risk-based funding and brought them into important homeland security decisions.

What I want to do tonight is to really focus on where the rubber meets the road and to just take a moment to look back and then take a look forward.

Where were first responders in 1972 when I started out as a cop, as a 21-year-old, naive police officer? The things that we did back in 1972 through the 1970s and into the 1980s was to respond to crime, to operate from our police cars and answer burglary calls and respond to other crime needs in our community and work with local police departments and local school districts.

Then in the 1980s, we moved ahead and we actually ended up with some additional tools. We look back to 1972, and we think about what did we have for tools? We had a police car, a gun and a badge essentially, and a pair of handcuffs. As we moved forward into the 1980s and into the 1990s, we ended up with tools like DNA, an automated fingerprint identification system, and I know it sounds funny, but computers started to come onto the scene. So we added those tools to our arsenal of crime-fighting weapons.

Then we find ourselves in the 1990s, also in the middle of community policing and our efforts to work with the community to solve not only crime in the communities but to improve the quality of life, to interact with leaders of the community, to sit down and listen to their needs and concerns and come to some solutions for their neighborhoods, even as far as painting over graffiti and towing away old cars. That was what police officers did in the 1970s, 1980s and 1990s.

Then came along September 11 and our role changed forever, and as my good friend, the gentleman from California (Mr. DANIEL E. LUNGREN) just said, we now live in a different world.

After September 11, the role of the first responder has changed. It still includes those things that I just talked about, the stuff that cops do every day, helping people, arresting crooks, criminals on the streets of our cities across this country, but the added responsibility now of also being a part of the team and protecting our homeland, and they truly are on the front line of that effort.

In our local community in Seattle we have a Joint Analytical Center where police officers from local police departments are assigned to the Federal intelligence task force. We have a regional intelligence task force gathering information within our specific region in the Northwest and sharing with the FBI Joint Analytical Center. That information is analyzed, prioritized, and then assigned to the joint terrorism task force where, again, local police detectives are a part of and member of and participate in investigating and following up those leads that are prioritized by the analytical center. Every day, cops on the streets today are following up leads to find terrorists, people who are in this country to do us harm, and we in the Committee on Homeland Security are here to support that effort.

We would have never thought years ago that police officers on the street would have to respond to calls or train in HazMat uniforms. We would have never thought 5, 10, 15 years ago that we would have had to worry about our police officers and first responders responding to a dirty bomb, a biothreat, or some other weapon of mass destruction, but these are the things today

that our local police officers are trying to deal with, and it is a tough, tough job.

So let us not forget them. Let us support them and we will continue to do our work on the Committee on Homeland Security, and I am proud to be a member of that committee.

I thank the gentleman so much for the time to speak tonight on the role of first responders.

Mr. DENT. Mr. Speaker, I would like to thank the gentleman from Washington (Mr. REICHERT) for sharing his thoughts and perspectives with us, again a 33-year first responder and police officer from the Seattle year.

Now, I yield to the gentleman from Alabama (Mr. ROGERS), another fine individual, member of the committee, from the Third District of Alabama. In addition to working on the Committee on Armed Services and the Committee on Agriculture, he also serves with me on the Committee on Homeland Security where he is assigned to the Subcommittee on Emergency Preparedness, Science, and Technology and chairs the Subcommittee on Management, Integration, and Oversight. As chairman of this subcommittee, my colleague is very concerned about making sure that the Department of Homeland Security operates in the most efficient and effective and transparent way possible.

With that, I yield to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. I thank the gentleman from Pennsylvania (Mr. DENT) for organizing this discussion tonight. It is vital we take the time to talk about these important issues, and I appreciate the gentleman's efforts to highlight some of our accomplishments this evening.

Mr. Speaker, this Congress has done many good things to help secure our homeland, some of which we are discussing tonight, but in other areas, we still have a ways to go.

Take, for example, the issue of border surveillance. About 2 weeks ago, the subcommittee I chair held a hearing to discuss the camera system that monitors our Nation's northern and southern borders. Known as the Integrated Surveillance Intelligence System, or ISIS, these cameras are a critical link for helping secure our border.

Unfortunately, this system is not working as planned. What began as a program to monitor the border crossing of illegal immigrants, drug trafficker, and even terrorists has morphed into what one of our witnesses called ''a major project gone awry.''

According to a 2004 GSA audit, the problems go even further. For example, the initial $2 million contract was awarded without full competition. Just 1 year later that same contract ballooned to over $200 million, again without full competition, and the problems do not end there.

The GSA audit also reported significant issues relating to the surveillance system itself: 60-foot poles that were paid for but never installed; sensitive equipment that failed to meet electrical codes; an operations center where contractors and government employees did little or no work for over a year; and not surprisingly, numerous cost overruns. To top it off, in September 2004, the GSA abruptly ended the maintenance contract. This left approximately 70 border sites without monitoring equipment.

Mr. Speaker, the American people deserve better. What we have here, plain and simple, is a case of gross mismanagement of a multimillion-dollar contract. This agreement has violated Federal contracting rules, and it has wasted taxpayers' dollars. Worst of all, it has seriously weakened our Nation's border security.

Before DHS spends another $2.5 billion on a replacement system known as the America's Shield Initiative, we need to first fix the system we have got. With Federal dollars scarce and budgets tight, it is vital that the American people know what they are getting.

Thanks to the work of this Congress and many of my colleagues here tonight, we are improving the safety of America's homeland, but we still have a ways to go. As we move forward, I hope we can continue to address these issues at DHS.

I thank my colleagues on both sides of the aisle for their support.

Mr. DENT. Mr. Speaker, I want to thank the gentleman from Alabama for his comments as well and appreciate his leadership on the Committee on Homeland Security.

I would now like to further this conversation tonight, this Special Order and this discussion with the American people, and I would like to say a few words about the interrelationship between immigration and homeland security.

While so many immigrants who come to this country do so legally and with the sole intention of seeking a better life, there are those who have links to terrorist organizations or who come here to do us harm. To be fully effective, then, the homeland security programs need to contain measures to curb illegal immigration and to prevent those who would seek to propagate acts of violence from crossing international borders.

Legislation recently passed in the House contains these kinds of measures. The Real ID Act is one such provision. It serves to protect the homeland in four distinct ways.

First, it establishes rigorous proof of identity for all driver's license applicants and strong security requirements for all licenses and State-issued identity cards. It further requires that Federal agencies only accept State-issued licenses and ID cards from those States that have confirmed by substantial evidence that the applicant is lawfully present within the jurisdiction. These measures are important because they make it more difficult for would-be terrorists to utilize phony or temporary licenses or secure cover for their nefarious activities here in the U.S. As the 9/11 Commission states: ''It is elemental to border security to know who is coming into the country. Today more than 9 million people are in the United States outside the legal immigration system. All but one of the 9/11 hijackers acquired some form of U.S. identification document, some by fraud.

□ 2215

''Acquisition of these forms of identification would have assisted them in boarding commercial flights, renting cars, and other necessary activities.'' That is from the 9/11 Commission.

The REAL ID Act also makes it easier to deny asylum to and deport would-be terrorists. Prior to REAL ID, individuals who allegedly committed certain terrorist acts could be denied admission to the U.S., but an anomaly within U.S. immigration law provided that once here, individuals who had committed these same acts could not be deported. The REAL ID Act rectifies this situation.

In addition, terrorist organizations have been using front organizations and alleged charities to support and provide cover for their terrorist activities. As President Bush has stated, ''International terrorist networks make frequent use of charitable or humanitarian organizations to obtain clandestine, financial and other support for their activities.'' Money given to terrorist organizations is fungible. Unfortunately, prior to the act, an alien could provide funding or other material support to many terrorist organizations and then escape deportation merely by claiming he did not know the funds would be spent on weapons or explosives.

The REAL ID Act, by contrast, directs that an alien who provides funds or other material support to a terrorist is inadmissible and deportable if he knew or reasonably should have known that he was giving to a terrorist organization.

Finally, the REAL ID Act provides an important component to the physical security of the United States. In 1996, Congress mandated the building of a 14-mile border fence inland from the Mexican border in the San Diego area. The goal was to curb illegal entries into the most heavily trafficked corner of the United States and to guarantee security at the U.S. naval base in San Diego. More than 8 years later, that fence is still not completed, in large part because the construction is tied up in litigation. In order to facilitate the construction of this important security perimeter, the act waives all Federal laws necessary to ensure the expeditious completion of this structure.

Immigration as a security issue was also the subject of portions of the Homeland Security Authorization Act for fiscal year 2006. The act fully funded the hiring and training of some 2,000

border patrol agents. It also clarifies the existing authorities of State and local law enforcement personnel to apprehend, detain, remove, and transport illegal aliens in the routine course of their duty.

Further, it buttresses up that policy determination that local police have the right to help enforce U.S. immigration laws by appropriating $40 million in training funds for these same municipal authorities. These funds are available to reimburse those communities that choose to send officers to the Department of Homeland Security programs run by ICE, Immigrations and Customs Enforcement, designed to train and certify these officers in the enforcement of Federal immigration laws. Having officers trained in this way can only work to the detriment of a would-be terrorist detained as a result of his committing a crime unrelated to national security.

As I have described, the Homeland Security Act has a strong border security component, but so does the homeland appropriation bill. The appropriation bill provides $19.4 billion for border protection, immigration enforcement, and related activities, an increase of $1.9 billion over fiscal year 2005 enacted levels and $285 million over the President's budget request. These funds support a robust revitalization of immigration enforcement efforts, both along our borders and within the interior of the Nation.

Specific funding includes, but is not limited to, $3.2 billion for Immigration and Customs Enforcement, providing an additional 150 criminal investigators and 200 immigration enforcement agents; $61 million for border security technology, including surveillance and unmanned aerial vehicles; $20 million for replacement border patrol aircraft; $690 million to fund 3,870 beds to house illegal immigrants detained in U.S. facilities; $119 million to fund fugitive operations teams; and $211 million for transportation and removal of undocumented aliens.

All these measures I have previously described are designed to enforce immigration laws, but we must also remember that in doing so we are contributing to the preservation of our homeland security as well. By preventing access to this country by undocumented aliens, by removing those who are here illegally, and by training local police officers to help enforce immigration laws, we will increase the odds that a would-be terrorist seeking to enter our country will be stopped before he can wreak any acts of violence against our citizenry.

Another comment I would like to make with respect to this whole issue of homeland security is this. We have heard from a number of speakers tonight about what the United States Congress is doing to make our homeland more safe and more secure. We have heard about the PATRIOT Act, the Homeland Security Authorization Act, the First Responder Bill, and the appropriations act. But, really, the bottom line is, why are we going through this? The events of 9/11 should have woken up everyone. I believe they did. Many of us lost friends. I had a relative in the first tower on the 91st floor who escaped, luckily. The plane entered that tower in the 93rd floor, and he lived to talk about it.

So we have all been touched by this in one way or another, and certainly as a freshman Member of Congress I spend a great deal of time going to orientation sessions and being fed a lot of information. I have felt sometimes that being a Member of Congress is sometimes like drinking water out of a fire hose. A lot of information is thrown at you very quickly, and you do your best to absorb it all.

When I was up at Harvard University to be engaged in the orientation program, I met an interesting individual up there, a man name Grahm Allison, who wrote a book called ''Nuclear Terrorism,'' and I highly recommend that people read it because it helps bring focus and clarity to the issue of homeland security and why this government, and not just in the Department of Homeland Security but throughout our Federal Government, State government, our local officials are working so diligently to protect us from unspeakable criminal acts that our enemies would like to commit against us.

I will go to this book, again entitled ''Nuclear Terrorism: The Ultimate Preventable Catastrophe,'' written by Grahm Allison, but he quotes an individual named Suleiman Abu Gheith, who was Osama bin Laden's official press spokesman. Nine months after the 9/11 attacks, Suleiman Abu Gheith made this announcement, and it was put out on al Qaeda Web sites. He says: ''We have the right to kill 4 million Americans, 2 million of them children, and to exile twice as many and wound and cripple hundreds of thousands.''

What a frightening and extraordinary statement. He says he wants to kill, that al Qaeda wants to kill 4 million Americans. He did not say 1.5 million Americans, he did not say 8 million Americans. He said 4 million, 2 million children. How did he get to that number? He goes on to explain. He itemizes the number. He goes on and he says that for 50 years in Palestine he blames the Jews, and with the blessing and support of the Americans he says the Jews exiled nearly 5 million Palestinians and killed nearly 260,000. They wounded nearly 180,000 and crippled nearly 160,000. And he talks about the American bombings and the siege of Iraq, as he says more than 1.2 million Muslims were killed in the past decade.

So he blames Israel and the United States. He says in the war against the Taliban and al Qaeda in Afghanistan, America killed 12,000 Afghan civilians and 350 Arab jihad fighters. In Somalia, America killed 13,000 Somalies. So as he itemizes this number, he somehow gets to 4 million. This is what our enemies are saying about us.

So, then, he asks the rhetorical question as to how should a good Muslim, in his case what he considers a good Muslim, which is not what most of us or most Muslims would consider to be a good Muslim, I am sure, but he said, ''Citing the Koran and other Islamic religious texts and traditions,'' he answers his question by saying, ''anyone who peruses these sources reaches a single conclusion: the sages have agreed that the reciprocal punishment to which the verses referred to is not limited to a specific instance. It is a valid rule for punishments for infidels, for licentious Muslims, and for the oppressors.''

He concludes: ''According to the numbers in the previous section of the lives lost among Muslims because of Americans, directly or indirectly, we are still at the beginning of the way. The Americans have still not tasted from our hands what we have tasted from theirs. We have not reached parity with them.'' He says, ''Parity will require killing 4 million Americans.''

This is very frightening. And I would suggest to everyone here today that 4 million Americans is a very big number. On September 11 we lost nearly 3,000 of our own. It would require 1,400 attacks of 3,000 people to get to 4 million.

Al Qaeda is quite clear in their intentions, and it is my belief that they intend to pursue whatever weapons are available to them to maximize the amount of damage they can upon the American people. And that is why our committee is so dedicated, is so committed to making sure that our folks at Homeland Security have what they need to do the job to protect us.

Finally, I want to turn to another man who is a great leader and a friend from my home State of Pennsylvania. I would like to introduce my colleague from the Seventh District of Pennsylvania. In addition to being a senior member of the Committee on Armed Services and the Committee on Science, he also serves with me on the House Homeland Security Committee, where he is vice chairman.

He is also active on the Subcommittee on Emergency Preparedness, Science and Technology, as well as the Subcommittee on Intelligence, Information Sharing and Risk Assessment. He is a former first responder himself, an active student of international relations, and an expert on ballistic missile proliferation.

He, too, is an author of a highly acclaimed book, ''Countdown to Terror.'' I have been talking about books, so I might as well mention this one too. It has been talked about quite a bit in the press, and it highlights his concerns about terrorist failures and the spread of ballistic missile technology in Iran. So without any further discussion from me, Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. WELDON).

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank my good friend and

of ballistic missile technology in Iran. So without any further discussion from me, Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. WELDON).

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank my good friend and colleague for yielding to me and thank him for this outstanding Special Order. I hope that our colleagues tonight have been listening, because they have seen an outstanding assemblage of excellent young Members of Congress who are picking up the mantle and taking the lead on homeland security issues in our committee.

This is the first year for the full operation of the authorization committee for homeland security funding and oversight, and it is extremely important that we get off to a good start. I just want to say, as a Member who was very aggressively behind this committee, I am overwhelmingly pleased and positive with the type of membership we have on this committee. My colleague, the gentleman from Pennsylvania (Mr. DENT), is an example of an outstanding leader who is committed; and he has brought together an assemblage of Members tonight who have articulated the various parameters of the concerns we face, from first responders, to our borders, to protecting our ports and our airports, and for all of the significant work that has been accomplished under Secretary Ridge, now being accomplished under our current new Secretary and under the able leadership of the chairman of our House Homeland Security Committee, the gentleman from California (Mr. COX), and our appropriations subcommittee, the gentleman from Kentucky (Mr. ROGERS).

□ 2230

Mr. Speaker, later on this evening I will be offering another Special Order that will reveal some absolutely amazing information for the American people. I will divulge tonight the information that prior to 9/11, not only did we know about the Mohammed Atta cell, but that the Special Forces Command in our military actually wanted to take action against that cell, and we did not take that action.

I will be discussing our intelligence in detail, and by following through on a special project that was initiated under the leadership of General Shelton focusing on al Qaeda. But at this point in time, I wanted to stop by and thank our distinguished Members, thank the gentleman from Pennsylvania (Mr. DENT) for his leadership, and say to those who participated in this Special Order, if we are going to win the battle and protect the homeland, all Members must play the critical role that you have played tonight and pick a specialty area that you have a focus on so we as a team can make sure that our country is properly protected.

THIRTY-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. MCHENRY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for half the time until midnight, 44 minutes.

Mr. MEEK of Florida. Mr. Speaker, once again it is an honor to address the House, and the 30-Something Working Group would like to send our appreciation to the gentlewoman from California (Ms. PELOSI) for allowing us to have the time to come to the floor once again to talk about issues that are facing everyday Americans.

The 30-Something Working Group was created in the 108th Congress, some 3 years ago, to start talking about issues that focus on young people, children and grandchildren, about their future and the direction this country is going in. Every 30-Something Working Group hour, we talk about issues that we feel that young Americans and Americans in general should know about, but we also talk about what Democrats are doing that is different than the majority side.

I celebrate the fact that in this democracy we have an opportunity to give our views and opinions as it relates to what is happening and what is not happening. I think both are very, very important. For us to continue to move in the direction that we moved in since we became the United States of America, it is important that we have not only factual information to share with the Members and the American people, but to make sure that we are consistent.

Tonight I am joined by the gentleman from Ohio (Mr. RYAN). We will talk about issues that are at the forefront of the debate here in Washington, D.C. One is Social Security. Two, we want to continue not necessarily in this order to talk about the issues that are facing veterans. We have men and women that are in the forward area in Iraq and Afghanistan, and many other parts of the world where they are fighting terrorism, but at the same time we have to understand the responsibility of making sure that we keep our end of the deal as it relates to their veterans affairs once they get back.

We have individuals that have served in past conflicts on behalf of this country, that allow us to celebrate the very freedom that we live under today. We cannot leave them behind. We cannot forget them, or turn our back on them. In many places we will point out where there are those in Congress fighting on behalf of veterans, and those in Congress who say they are fighting on behalf of veterans, but it is not coming out on the other end.

I want to talk about the Social Security proposal that has been put forward by not only the President and some Republican leaders, not only in the House but in the other body. I think it is important that the American people understand that in Washington, D.C., all you may see and hear may not be true. It is also important that we point out those inequities because anything that goes toward private accounts, I think that the American people need to continue to be very wary of. You can dress a private account up and put a fake mustache on it and a wig, but it is still privatization of Social Security.

The bottom line is across the board with both of these proposals, Americans will lose benefits if we go into private accounts. Will private accounts deal with the Social Security solvency issue? I must add that is 47 years away; 100 percent of benefits will still be provided to 48 million Americans, those 33 million in retirement, the rest who are receiving disability and survivor benefits. It will be here. What we are asking for on this side as it relates to the Democratic leadership, not only the gentlewoman from California (Ms. PELOSI) but also the gentleman from Maryland (Mr. HOYER), the Democratic whip, the gentleman from New Jersey (Mr. MENENDEZ), our chairman, and our vice chairman, the gentleman from South Carolina (Mr. CLYBURN), we have not only an ongoing, but are working toward a bipartisan approach.

Mr. Speaker, I must also add there is a discussion going on now, there was a press conference last week talking about we have a bill and private accounts. It is not as bad as the President's bill, but it is starting us off on private accounts. In this same press conference it was admitted by the sponsors of the bill this will not deal with the solvency of Social Security. I do not know why we are trying to fool the American people. I do not know why we are going through this dance that we call here in Washington the Potomac two-step, trying to fake out the American people.

The gentleman from Ohio (Mr. RYAN) and I are going to attempt to share not only with the Members that we know exactly what they are doing, and we are here, elected by the people from our districts, and also representing the people of the United States of America, to make sure that they know exactly what is going on.

Tonight is not about the 30-Something Working Group and what we want to talk about. It is factual. It is not the Tim Ryan report or the Kendrick Meek report, it is what is happening right now, third-party validaters. And we will continue to come to the floor to point out factual inequities in what the majority side is talking about. We want to make sure that the American people understand the difference, the difference between the leadership of veterans, or not; and the difference between leadership on behalf of Social Security and making sure that we do not leave the present generation and future generations behind.

We talked last week about the issue of the ever-growing deficit. Guess what, we are going to have to pay it off, and I do mean all of us, some

$26,000-plus that American people with children, and those unborn, that are going to have to pay because of the ever-growing infatuation with spending.

I think it is important that we point this out.

I want to take a couple of excerpts of what has been said and what has not been done.

For about 6 months the Republicans have talked about, and I would say the Republican leadership because I do not like to generalize. There are some Republicans who are very uncomfortable with both of these proposals. I think it is important that we continue to hold onto those individuals who are showing leadership.

I would also add there are some individuals in the Republican leadership that are trying very quietly to share that private accounts are not the way to go. We are asking them to go see the wizard, not only to get some courage, but to make sure that they stand up to these forces that are trying to push private accounts on the American people.

I have to digress so we can make sure that we all understand, we want to break it down. The bottom line is on the Republican side, by the rules that are set here in the House of Representatives, the majority runs the agenda here in the House. The majority runs the agenda here in the House. I am not only talking to Democrats, Republicans, and the one Independent we have in this House, that we have a responsibility to make sure that we stand up not on behalf of the leader of the Republican Conference or Republicans here in the House, but on behalf of the individuals who woke up early one Tuesday morning to go vote for some leadership. It is time for us to stand up and make that happen.

We hope in the 30-Something Working Group by the pressure applied that two things happen. One, right here and right now, people in the leadership positions make the right decision, to make sure that we make Social Security solvent and do away with the whole idea of trying to go into private accounts.

Private accounts would only benefit those individuals who are involved in the New York Stock Exchange, that care about the $944 billion that they would be able to prosper from in the next 20 years on the backs of everyday working Americans.

I think it is important that before that happens, in whatever form, and I am in no way supporting or encouraging any of the Members of this House to try to move in that direction, that we need to make sure that Democratic Members who are solid on this issue, and the few Republicans who are solid on this issue, that we stick together on behalf of the American people. Or we may very well have the American people say, fine; I am a Republican or Democrat or Independent, I believe in my Social Security and I want it here.

If you are not a recipient of Social Security, you have a family member that is a recipient of Social Security. If you do not have a family member that is a recipient of Social Security, you will have a family member that will be a recipient of Social Security. That is the good thing about America, is that we care about one another. These individuals work every day and may hurt themselves on the job, and they count on Social Security.

Mr. Speaker, it is once again an honor to have the gentleman from Ohio (Mr. RYAN) to share this hour, and also to let the Members of this House, to let them know exactly what the truth is.

Mr. RYAN of Ohio. Mr. Speaker, I think it is important as we start tonight and get things rolling here we talk a little bit about what the new proposal is. The 30-Something Working Group has taken a step in another direction as far as our billboards. We are going to go with hand-drawn charts. It is like we are in the locker room during half-time of the football game.

I think it is important to know where we end up after the second proposal that is circulating around Congress. Democrats have not seen one plan yet, but the important thing for the American people to understand is the second proposal that is now circulating around Congress ends up at the same exact place that the first proposal put us.

So here we have on our little chart here everything broken down. The original Bush proposal is on the right, and the new proposal that is circulating in Congress is on the left.

Mr. Speaker, the gentleman from Florida (Mr. MEEK) may remember that the first proposal was out of the 12-plus percent, 12.4 percent you pay into Social Security, half by the employer and half by the employee, the Bush proposal was saying that the employee could take up to 4 percent of that and put it in this side private account. Right out of your paycheck, you could give 4 percent and put it into a private account. The rest of yours, the 2.2 left from yours and I think the 2.2 left from the employer, would go into the Social Security trust fund. The employer was actually getting a break. They would not have to match. So the Wal-Marts of the world would not have to match their employees' 4 percent that they put in the private account. So the diversion into the side account is what led to the whole shortfall.

In the second proposal that is now being circulated around Congress, it is just a shell game. All they do, instead of allowing someone to divert the money right away from their paycheck, you send the whole thing to Social Security and then Social Security takes a portion of it and puts it into a private account with your name on it. So it is just a typical Potomac two-step.

Mr. MEEK of Florida. Mr. Speaker, that is exactly what they are doing.

Mr. RYAN of Ohio. It is a typical shell game in Washington. All of a sudden we have a new proposal. It is all different. The end result is the same thing. There is money not going into a trust fund that is being diverted into a private account. Here is the kicker. There is going to be a tremendous increase in administrative costs for people to have to handle this money, and there is going to be a reduction in the benefits that people get. That is why we are here every week talking about the same issue over and over because we are not going to allow any privatization scheme to come through this body that is going to reduce the benefits.

In the first proposal from the paycheck to the private account, the rest goes in Social Security. The second proposal, here is the paycheck, and everything goes to Social Security and then Social Security will then divert it to a private account with your name on it. It is just a shell game to try to sell the new proposal. You can put lipstick on a pig, but it is still a pig.

Mr. MEEK of Florida. Mr. Speaker, the Members need to truly understand this. We know where we are as Democrats. We are solid on the side of the issue of dealing with the solvency of Social Security beyond the 48 years it will be solvent, and beyond 80 percent benefits that individuals will receive after that.

The gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and I have been working on this issue. We have had town hall meetings on it. Democrats have had some 900 town hall meetings throughout the country and will continue to have more to make sure that we fight against this issue of privatization and make sure that we make sure that Social Security is there for future generations.

□ 2245

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman for yielding to me.

It is wonderful to be here with the both of them, my two esteemed colleagues from the next generation in the United States Congress, and I have been able to listen to a little of what they have been saying on my way over here.

A few weeks ago when we were talking about this before the latest version of the privatization scheme was put on the table, we were talking about how interesting it is that no matter how many times they are told no, they still keep coming back with the same concept, just a different version. And I know I analogized it is like when I speak to my children and they keep asking me and asking me if they can do something that I do not think they should do for one reason or another, whether it is not responsible or they are not old enough, and they try a lot of different versions of the same thing, and the answer is still no because I have carefully reviewed what they want to do, as their parent, and decided it is not the best timing right now or

for whatever reason I have concluded it is not a good idea.

It would be as if one's teenager came to them and said Mom, Dad, I really want to go to this party, and I want to stay out until 2 o'clock in the morning, and the parent said, no, that is not a good idea, and so they come back to them. This new proposal is like if one's teenager came back to them and said I still want to go to the party, but I promise I will be home by midnight. The whole idea was that they did not want them to go to the party in the first place.

And after 60 days initially on the road trying to sell his privatization scheme to the American people and essentially they have rejected it and an additional 60-day effort where the more the President talks about this, the less people like it, it is mindboggling to me. And I am the sort of baby of the group of the three of us, I am a freshman, I was just elected. It is mindboggling to me that they do not want to come to the table now, as we have been asking them to do, and come up with a bipartisan solution.

Privatization balloons the deficit. It cuts benefits; and yet every version of their proposal, the premise of it is to privatize Social Security, and that pulls the safety net out from future retirees and, quite honestly, from people who are about to retire.

I actually had an electronic town hall meeting today at 4:30, which was amazing. We got tremendous feedback. But can I tell my colleagues that not one person who participated, and I had over 100 people participate live and 120 people signed on in advance of our beginning, and no one said, ''You really need to consider private accounts. We really want you to do this.'' I mean, it is time to sit down and put privatization aside, and like in 1983 when Tip O'Neill and Ronald Reagan and Daniel Patrick Moynihan and others who were part of that group sat down and in a bipartisan way came up with a solution. It is time.

Mr. RYAN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MEEK of Florida. Mr. Speaker, I yield to the gentleman from Ohio.

Mr. RYAN of Ohio. Mr. Speaker, the gentlewoman just said in a State like Florida that the President won in the last election is not getting the kind of support. Here is an interesting statistic, group of statistics, asking rural voters: ''Are Bush's proposed changes to Social Security mainly consistent with the values of the people in your community or out of step?'' And here is the pie chart. All rural voters, consistent with rural voters' values, 27 percent; out of step with our values, 61 percent. And Bush cleaned Senator KERRY's clock in rural areas, and 61 percent of rural America believe that the President's proposed changes to Social Security are out of step with their values. And when we look at white fundamentalists, 55 percent; conservatives, 47 percent; white women, 65 percent; Bush voters, 44 percent; and Southerners, 58 percent.

Why are we having this debate? Why are we having this argument when we have all these other issues that need to be addressed in Congress and the President keeps running against the wall, hitting his head, bouncing back, and thinking if he keeps running and keeps hitting his head that somehow it is going to change. And when this President in particular, who has done so well in rural areas, is losing support on this issue, it is mindboggling to me.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, will the gentleman yield?

Mr. MEEK of Florida. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, the two of us are from a State and from a region of a State where it would be expected that there would be deep, deep concern about the potential privatization of Social Security. Obviously, we have a disproportionately high percentage of senior citizens in my district and the gentleman from Florida's district. But like the gentleman from Ohio said, across all demographic groups, all regions of the country, there is no group that has wide or deep support for this concept, and that is because people are uncomfortable at every level with the explosion of the deficit and this proposal's potential to expand it even more.

When I asked at my live town hall meetings whether people were confident enough in their own investment ability to be assured that their own investment decisions would carry them all the way through their entire retirement years, no one except for two people in three town hall meetings with more than 600 people in attendance, no one raised their hand, because look at the ebb and flow of the stock market; and this proposal is not backed by the full faith and credit of the United States. If people hit a bump in the road where one year the stock market is not going so well, it is whatever is left when they retire in that account with a proportionate cut in their Social Security benefits.

Mr. RYAN of Ohio. Right. And if the gentleman from Florida will continue to yield, the new system, the new plan that they have where they give the money to Social Security and they put it in side accounts, they are going to invest it in T bills just like Social Security is. So there is no real advantage.

The argument in the first proposal was that we are going to put it in a private account and they are going to be able to gain all this extra interest. Now the new proposal is saying they are going to take it and put it in a private account and they are only going to be able to invest it in T bills just like Social Security is now. So it is just getting more and more ridiculous. It is like a comedy of errors. Every single new proposal is worse than the last proposal. And I think they need to just work with us, work with our side, let us get a solution, make it more solvent, move forward, and start addressing poverty and health care and all the other issues here.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, if the gentleman from Florida will continue to yield, if he does not mind my adding one more thing, like I said, I am a freshman. I was elected. I have been in Congress for 6 months. I really expected there to be a lot more collegiality in this body. The gentlemen are veterans, now, of this process. I have talked to my Republican freshmen colleagues on the other side. We all expected there to be more of an opportunity to work together, less rancor. It is sort of astonishing, and it is astonishing, I think, to the average American that we are still bickering about this and that we are all sharpening our elbows and digging in and going to our respective corners instead of acknowledging, like we are willing to do, that there is a problem with Social Security.

It is not a crisis like the President has been portraying; but there is a problem, a long-term problem with Social Security, and we need to come together and make some changes. But, unfortunately, the leadership in this Congress, the Republican leadership, just wants to be right, or somehow if they say it enough times, perhaps they think that they will be right when the American people are clearly telling them they are not.

Mr. RYAN of Ohio. Or that they just want to win, Mr. Speaker. If the gentleman will continue to yield, this sometimes is not even about policy. It is about winning the argument, and they are losing; so they are trying to find a new way to win it, and it is just not working out.

Mr. MEEK of Florida. And, Mr. Speaker, that is the reason why we are here. It is not about winning or losing under the Capitol dome. It is about the American people being able to win and keep confidence within this body. And I will tell my colleagues now, looking at the recent poll numbers, they do not feel good about what is happening here in Congress.

There was an article on Friday, and it was in The Washington Post: ''GOP Sounded the Alarm but didn't Respond to'' the issue of Social Security. And I would recommend Members take a look at this. It was written by Michael Allen, and I just want to take an excerpt out of this.

The gentleman from Ohio (Mr. RYAN) mentioned something about winning, wanting to win. We are here to win on behalf of the American people; and one Republican Member of the other body, not this House but the other body, and I know that Members understand that we have the legislative branch, judicial branch, and executive branch but the legislative branch consists of the House and the Senate. But in the other body I must add that if the Republicans take this to a vote and the Democrats try to stop us, we will end up as the winners. That comes from a Member of the

other body that is from South Carolina.

Let me just share this with my colleagues. This is not school yard kickball here. This is Social Security, and this is serious business; and this is not about because we can, we will. This is about doing the right thing. And it really is stomach-turning when we see individuals taking an end zone dance and talking about what we can do because we can do it.

If I can, I would like to talk a little bit, because we have limited time here tonight, and we can talk about Social Security, but I have to address this issue of not only the Veterans Affairs but what is happening right now in Iraq and Afghanistan. Earlier tonight during the first Democratic hour, members of the Democratic Caucus read the names of those individuals who have fallen in the line of duty, and we honor and we respect them, and on behalf of a grateful country, we appreciate their family members' sacrifice. They paid the ultimate sacrifice, and so did their loved ones.

A lot of mothers and fathers are no longer with us because we asked them, this Congress asked them, to go into battle and they lost their lives. And, Mr. Speaker, this is the reason why we run not only for Congress. And I hate to hear the gentlewoman from Florida say 6 months. I mean, she spent double-digit years in the State legislature. She has dealt with many of these issues in the Florida house and the Florida senate, and many of those issues are the same here. Unfortunately, the inaction on behalf of the Republican leadership is very disturbing, and I say some of them because I know some are people of good will and want to make sure we do the right thing.

I want to point the attention of the Members, Mr. Speaker, to the June 27, today, article that was on page A13 of The Washington Post: ''VA Gets the Picture, No Shortfall Here.'' I just want to take some excerpts out of this article because we have limited time, but we have to make sure that we call a spade a spade, and that is the reason why I like the 30-something Working Group because we put it on the table and let it be known. If anybody wants to make an argument, it is democracy. Bring it on and defend the situations that they are making. But, unfortunately, this is not school yard kickball. This is the United States Congress.

''Turns out that $1 billion shortfall for health care funding for our Nation disclosed last week by the House Committee on Veterans' Affairs hearing is only one of many important and vexing dilemmas facing top officials at the Department of Veterans Affairs.''

I am going to go a little further down in the article. It talks about a conversation, I believe a conference call, by the Deputy Under Secretary Laura Miller, who said on the May 27 call, ''Many of our facilities, medical centers, community-based outpatient clinics, there are about 850 of them in the country, many in rural areas,'' Mr. Speaker, ''and some open only 1 or 2 days a month.'' Not 1 or 2 days a week; 1 or 2 days a month in rural areas. ''And other offices have a picture of Secretary Jim Nicholson prominently displayed. Unfortunately, however,'' Ms. Miller continued, ''there are many facilities that currently do not have the picture displayed. I am aware that the mailings of the pictures occurred on April 22, 2005. So that's more than 5 full weeks.'' It goes on to say that ''We are asking that you give this your highest priority.''

□ 2300

This is from Washington, DC. The highest priority, we will continue to ask daily on updates of the status until we are sure that all facilities have a current displayed picture.

In the defense of local VA officials, it turns out that Miller was wrong. Not all the photos went out on the 22nd. We are hearing that some officials disagree that the photos should be the highest priority, and they are asking that it should not be. Also they are saying what they are focused on right now at these local VA facilities is they are trying to sell furniture to buy prescription drugs on behalf of veterans out there now.

Then it goes on, and, unfortunately, it gets worse. The Secretary, Mr. Nicholson, when he testified in a hearing last week, Nicholson was the author of an April 5 letter to Senators saying ''I can assure you that the VA does not need additional funds to continue to provide timely and adequate service.''

Let me just share something with you. The bottom line here, Mr. Speaker, when we have a Secretary of the Department of Veterans Affairs that is more concerned about his picture being displayed in VA hospitals and community-based facilities, some that I must add are only open 1 or 2 days a month, these are individuals that get all teary-eyed here on the floor talking about what we need to do for the troops and for the veterans, but meanwhile, back at the ranch, we have a $1 billion shortfall. And Democrats have tried to do something about it.

All I have to say to the Secretary is, he wants his picture displayed, I am going to put his picture in my office. His picture will no longer be the priority on behalf of veterans. We will to the Hill and fight on behalf of veterans and make sure that they do not have to wait 6 months to be able to see the ophthalmologist.

Mr. Speaker, I know I am bending on the time here, but I wanted to share this with my colleagues, because I think it is important that everyone understands we are about the business of not just saying pounding our chest and saying ''we are going to go to Iraq and make sure that we have democracy there.'' We are making sure we keep our promise, not only to those individuals that have served in past conflicts, but are in present conflicts.

So the individuals walking around here talking about what we are going to do, and how long we are going to stay, and there is no plan to make the coalition bigger or no plan really to start talking about how we are going to bring our troop levels down in Iraq, meanwhile Democrats are here adding amendments to the Committee on the Budget. And I must add again, we all know, and it is important our constituents know, that the majority runs this House of Representatives. The bottom line is, they bring bills to the floor, they bring issues to the floor. Some issues we can work with them on. But when it comes down to veterans, to health care, when it comes down to Social Security and folks want to talk about something that is going to take us back versus move us forward, we have a problem with it.

There was an amendment, an alternative to the budget that was passed on March 5 of this year, the Democratic budget. It included a $20.9 billion increase for the next 5 years for veterans health care in order to meet the needs of the returning soldiers and veterans who rely on VA hospital care. Without that, there will be an estimated fee, can I say ''tax'' on veterans, to pay more for their health care.

Now, they have been lied to. I will not be an unindicted co-conspirator in that lie. I think it is important that we make sure that the veterans know. I see veterans, and I am not concerned about their party affiliation. The bottom line is what they get and are not getting. What they are not getting, in my opinion, is appropriate representation that they need here in Congress to make sure that they get what they need.

Am I emotional about this? You are dog-gone right I am, because I would not be here under this flag if it was not for individuals that have served this country, day in and day out. Many of them have to put on a prosthetic limb to walk around in the morning. Many of those individuals cannot perform the kind of functions that they carried out prior to going into a conflict. So, I have no time and no tolerance for the Potomac Two-Step.

Once again, Democrats, people want to know the difference. I am sharing it with them right now. Once again, an amendment in the committee by one of our great Members, the gentleman from Texas (Mr. EDWARDS), increased health care funding above President Bush's proposed budget by $1.9 billion, an estimate that the Republican budget plan for $798 million in veterans cuts over 5 years. Once again, a Democratic Member from Texas supported by Democratic members of the Committee on Ways and Means, a 15 to 20 vote.

The bottom line is, one of two things needs to happen: Either some individuals on the Republican side have to step up and represent the people that sent them here, or the American people are going to have to make a difference.

I will tell Members in closing that I am really, truly not concerned about

individuals' feelings being hurt about what I am sharing with them as it relates to facts and what we are sharing with them as it relates to facts. If we were here talking fiction, I would not be able to sleep well at night.

I will tell you right now, this is factual. Individuals can go into the record. As a matter of fact, they can go to nationaljournal.com/members/markups/2005/03/200506812.htm and find it. It is what it is. And if individuals do not want to man up and woman up and lead, then the American people need to make other decisions.

The gentleman from New Jersey (Mr. SMITH), the former chairman of the Committee on Veterans' Affairs, was removed; not by Democrats, not by the people in his district, but by the Republican Conference. Why? Why? This is Fox News, okay? This is what I am reading right now, Fox News, right off their website. ''Smith passed an increase in investment on the Veterans Affairs Administration budget that put him on a different page from party leaders.'' He is no longer the chairman because he decided to represent the veterans that are out there in America.

So, the gentlewoman knows, being from Florida, we have a number of veterans. The gentleman from Ohio (Mr. RYAN) from Ohio has a number of proud veterans and reserve units in harm's way. It is important to stand up for them.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, if the gentleman will yield further, there are three things I want to add to augment the gentleman from Florida's comments. One of them is 30-something oriented.

I noted when I went and spoke at Memorial Day services this year and Veterans' Day services on November 11 of last year, that every previous Veterans' Day and Memorial Day that I was able to participate in as an elected official prior to my time in the legislature, I was able to thank them. And generally the crowds that come to those events are older folks, senior citizens especially in Florida, veterans of many wars. I was able to say ''thank you'' from our generation, because prior to now, our generation is the first since before World War II that has never been called to war, that had never had the casualties that the generations before us had. And I was able to thank them for allowing us to stand on their shoulders and their sacrifice.

But I cannot say that any more. I cannot say that any more, because, as was read tonight, the more than 1,500 names that we are in the process of reading, we could have a whole hour just on the Iraq war and our deep concerns over that.

But to continue in the gentleman's thought process about health care for veterans, I visited Walter Reed Army Medical Center a few weeks ago and had an opportunity to visit with soldiers who had come back from Iraq and Afghanistan without their legs, hearing their stories, watching the pain etched in their face, and the dedication that they have. To the person, they wanted to go back, and their regret was they were not able to, they had to leave their comrades behind.

These people are struggling to get the health care they need when they are still enlisted. At home in South Florida and across the country, our veterans, as the gentleman said, 6 months is not an exaggeration for how long our veterans have to wait to get their health care needs taken care of. Is that the thanks that we give them, the proud veterans that have served this country?

We sound so soap-boxish, but your actions have to back up your words. It is really nice to stand on the floor and give a good speech and get all choked up, but what matters is how you cast that vote and what your light up on that board when they put it up there says, and you are either with them or against them. The Members that voted against those amendments that were offered in committee and on this floor and who opposed them, in spite of valiant speeches that were made on behalf of those veterans, should be ashamed of themselves.

Mr. RYAN of Ohio. Mr. Speaker, if the gentleman will yield, 70 percent of those currently in Iraq and Afghanistan are under 30, so they are going to need to access this system because they are going to have a lot of years in it.

□ 2310

Mr. Speaker, we are wrapping up here; I think we just have a few minutes left. If you have any e-mails you want to send to us, the address is as follows:
30something.dems@mail.house.gov.
Again, the address is 30something.dems@mail.house.gov.

I received a letter today from a local veteran in Ohio. Korean War veteran Bob Brothers wrote and sent me a copy of a letter to the editor that he was sending. He wrote this after the flag burning amendment that we voted on last week. He calls it, ''Conundrum: Congress of the United States is voting on a flag desecration amendment to the Constitution of the United States of America. The riddle is, this allows Congressmen to stand under the American flag and declare, I am patriotic. The pun is these same Congressmen vote against mandatory funding for the Veterans Affairs Department. This demonstrates to me the true hypocrisy of Congressmen and women who vote against mandatory funding for the Veterans Affairs Department. Why are these two items not attached so that courage, honor, and valor become necessary when they enter the Chamber to vote?

''A veteran is a veteran is a veteran. When as a young kid I hit the beach in Korea, I did not see any Congressmen or Congresswomen, and I was not asked my income before going ashore. I will not vote for anyone who tries to show they are patriotic by voting for the flag desecration amendment and voting against mandatory funding for the Veteran Affairs Department. Iraqi Freedom veterans take note: as soon as you are discharged, you will begin a lifelong battle with your government. A vote for the flag desecration amendment coupled with a vote against mandatory funding for the Veterans Affairs Department brings shame on the very symbol of liberty and freedom that my comrades gave life and limb and more since it all began over 200 years ago. Not giving the care veterans earned and deserved is burning the flag.''

That was from Bob Brothers, a Korean War veteran from my district who is at every Memorial Day, at every Veterans' Day event that there is. They are committed to the community. So I just wanted to share that.

We have a long way to go here, and I think the point tonight is, the argument nationally is about Social Security and how we are going to fix a problem that does not exist for 40 years, or are we going to address the veterans issues that we face today.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I think that we have demonstrated here tonight, as we will in the future, that there are so many issues facing our generation, and we need to make sure that we take this country back in the right direction so that when our generation inherits the results of the decisions that we are making here, that we are not struggling to make sure that we can clean up the mess that was left for us.

Mr. MEEK of Florida. Mr. Speaker, once again, we had another good 30-something Working Group Special Order. We look forward to coming back after we celebrate our independence on the Fourth of July. As my colleagues know, here on the Washington Mall we have quite a celebration and throughout America in many small towns and cities. We will be coming back to the floor to talk about Social Security, factual information, and to talk about how Democrats are part of the solution.

I must say, once again, we are not here to generalize. We have some Republicans on the other end that are totally against the privatization of Social Security and totally for the full funding, as the gentleman from New Jersey (Chairman SMITH) was, as it relates to veterans affairs, doing better by our veterans. Seventy percent of the individuals who are fighting in Iraq are young people who are doing what they have to do.

Mr. Speaker, with that, we would like to not only thank the Democratic leader but the Democratic leadership for allowing us to come again.

U.S. INTELLIGENCE

The SPEAKER pro tempore (Mr. MCHENRY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 44 minutes.

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise this evening to discuss for the next 45 minutes the most important topic that will allow us to protect the homeland, provide for the security of the American people and our allies and our troops around the world: our intelligence.

Last Thursday, Mr. Speaker, I had a meeting with the very able and distinguished chairman of the Permanent Select Committee on Intelligence, the gentleman from Michigan (Mr. HOEKSTRA). We discussed many things, one of which was a source that I had hoped that we could get some information to assist us in understanding the threats in Iraq and the Middle East, and especially in regard to Iran.

I said to the gentleman from Michigan (Mr. HOEKSTRA), I am going to make a prediction to you. Based on my source, I said, common wisdom tells us that the winner of the election in Iran that will take place on Friday and Saturday our time will probably be Rafsanjani. He is the name that most pundits have said would be the likely winner in a two-person runoff against the more conservative and not well-known mayor of Tehran. But I said to the gentleman from Michigan (Mr. HOEKSTRA), based on information we had, the election was not going to be close; it will be a landslide. But the conservative mayor of Tehran, a relative unknown, had been anointed by Ayatollah Homeni in Iran and he would in fact win the Iranian election.

We all saw the results, Mr. Speaker, on Saturday night and Sunday morning as, in fact, the mayor of Tehran won the election with a margin of 62 to 38 percent, an overwhelming landslide. I raise this issue, Mr. Speaker, because good intelligence and good information is the most critical tool that we can have over the next several years and decades to protect our homeland.

Mr. Speaker, I rise because information has come to my attention over the past several months that is very disturbing. I have learned that, in fact, one of our Federal agencies had, in fact, identified the major New York cell of Mohamed Atta prior to 9/11; and I have learned, Mr. Speaker, that in September of 2000, that Federal agency actually was prepared to bring the FBI in and prepared to work with the FBI to take down the cell that Mohamed Atta was involved in in New York City, along with two of the other terrorists.

I have also learned, Mr. Speaker, that when that recommendation was discussed within that Federal agency, the lawyers in the administration at that time said, you cannot pursue contact with the FBI against that cell. Mohamed Atta is in the U.S. on a green card, and we are fearful of the fallout from the Waco incident. So we did not allow that Federal agency to proceed.

Mr. Speaker, what this now means is that prior to September 11, we had employees of the Federal Government in one of our agencies who actually identified the Mohamed Atta cell and made a specific recommendation to act on that cell, but were denied the ability to go forward. Obviously, if we had taken out that cell, 9/11 would not have occurred and, certainly, taking out those three principal players in that cell would have severely crippled, if not totally stopped, the operation that killed 3,000 people in America.

Tonight, I am going to provide some background to my colleagues, because I think this represents a major problem with our intelligence that needs to be focused on by the committees of the House and the Senate, by the leadership of the House and the Senate, by John Negroponte, the new person assigned by President Bush, and a very able man, to integrate the 33 classified systems overseen by the 15 Federal agencies.

I want to also start off by praising Porter Goss, the director of the CIA. Porter served us extremely well in this body as the chairman of the Permanent Select Committee on Intelligence; and he went over to the CIA with an aggressive agenda to change that agency, and he has begun that process. We, in this body, need to rally the American people to support the efforts brought forward by Porter Goss and to allow John Negroponte to undertake perhaps the most difficult task in protecting the security of America, a task that will not be easy, given the history of our Federal agency system.

Let me take my colleagues back, Mr. Speaker, to 1999. It was, in fact, the spring of 1999 when I was first involved in taking a delegation of 10 Members of Congress to Vienna with the support of my friend and colleague, the gentleman from Maryland (Mr. HOYER), and with the support of the Clinton State Department.

□ 2320

The 11-member delegation of five Democrats, five Republicans and myself, along with the State Department employee, traveled to Vienna to meet with five senior leaders of the Russian political parties. Our purpose was to try to reach a framework that could allow for a peaceful resolution of the war in Kosovo on the terms that the U.S. had desired after Ramboullet.

After securing a military plane, my Russian friends told me they were bringing a Serb along with them, a Serb who would be able to understand what we were talking about and help us decide and determine whether or not Milosevic back in Belgrade would accept any recommendations that we would develop. I did not know anything about the Serb. I knew the Russians. But I figure I had better ask the CIA what they knew about this Serb so I could be better prepared, and to make sure that the Serb was not a part of the Milosevic regime, because that would cause myself and my colleagues to be in violation of the Hobbs Act because we were at war with Serbia at that time.

So I called George Tenet. I said, Director Tenet, can you give me some information about this Serb? His family is evidently well known. I need to know whether or not he is a part of the Milosevic regime. I need to know any other information you can provide to me because we are going to meet with him when we travel to Vienna to meet with the Russian leaders to help provide a beginning of a solution to end the war in Kosovo.

He called me back the next day and he gave me a couple of sentences and said not to worry, he was not a part of the Milosevic regime. And he had strong ties to the Communist Party inside of Moscow and had ties to other leaders in the Russian Government. It was not much to go on.

But at the time, Mr. Speaker, I was chairman of the Defense Research Subcommittee of the Armed Services Committee. My job was to oversee the funding, approximately $40 billion of defense research money on new systems and new technologies. And one of the most striking technologies was the work being done by the Army's Information Dominance Center at Fort Belvoir, formerly known as the LIWA, the Land Information Warfare Assessment Center. I had visited the LIWA several times and was tremendously impressed with not just the ability to provide security for our Army classified systems, but I saw a unique approach to doing well beyond that, data mining, data collaboration, using cutting-edge software tools like Starlight and Spires, able to do profiling. Having plussed-up funding for this facility after talking to George Tenet, I called my friends at the Army's Information Dominance Center and said, can you do something for me as a favor, off the record? And they said sure, Congressman, whatever you like. Would you run me a profile of this Serb, for the same reason I had asked the Director of the CIA. They said, no problem, Congressman; we will get back to you in a few hours. And they did. They gave me 10 pages of information, Mr. Speaker, about the Serb and his ties. Now, the information was not vetted but it was from a number of sources that the Information Dominance Center was able to pull together very quickly. I used that information as we traveled to Vienna to understand who we were meeting with. We had those meetings for 2 days and my colleagues, my five Republican and five Democrat colleagues, worked aggressively to establish a framework that would begin the end of the Kosovo war. In fact, it was historic.

When we returned to Washington several weeks later I was contacted by the FBI and they said, Congressman, we would like to debrief you. We would like you to tell us what you know about that Serb that you all met in Vienna. I said, no problem, I will be happy to do it Monday afternoon in my office. The Friday before the Monday, my D.C. office paged me with a 911 page. When I called them they said, you have got to call CIA Congressional Affairs immediately, which I did. CIA

Congressional Affairs said, Congressman WELDON, we are going to fly two agents to Philadelphia this evening. They will meet you at the airport, at a hotel, at your home, wherever you want to meet them. And I said, I am sorry, I cannot do it. It is a weekend. It is a Friday night. I have got events already planned. What is the urgency of this meeting? And the CIA Congressional Affairs person said well, Congressman, we have been tasked by the State Department to brief our Ambassador, who is negotiating the final terms to end the war in Kosovo, and he needs to know something about this Serb that you met in Vienna. I said, well, the FBI has already called me for that. Can we not do it together? And finally, after pushing back for 10, 15 minutes, the CIA agreed. And so on Monday afternoon in my office I hosted four agents, two FBI and two CIA. These agents asked me four pages of questions about the Serb that I had met with along with our colleagues in the House.

When I finished answering all their questions and giving them all of the information I had, I said to them, now you know where I got my data from, right? And they said, well, you got it from the Russians. I said, no. Well, you got it from the Serb. I said, no. I said, before I left Washington, before I left my office, I called the Army's Information Dominance Center and asked them to do me a favor. They ran a profile and gave me 10 pages. The CIA rep and the FBI rep said, what is the Army's Information Dominance Center, congressman?

It was then, Mr. Speaker, that I knew we had a problem; that our intelligence systems were not linked together, that the stovepipes were so great that we would never be able to deal with emerging transnational terrorist threats. So beginning in the spring of 1999, I began a process working with the Army, and their subgroup working with them, Special Forces Command down in Florida, which had a similar capability to develop a national prototype, a prototype that could be providing support for the President, the National Security Adviser, and all of our policymakers. In fact, working together over a multiweek period, we came up with a plan, a document. And Mr. Speaker, I would like to place this document in the RECORD at this point in time.

NATIONAL OPERATIONS AND ANALYSIS HUB: NOAH

Policy makers' tool for acting against emerging transnational threats and dangers to U.S. national security.

Policy makers need better decision support tools.

Policy makers continue to work in a vacuum. Briefings and testimonies are the primary vehicles for transmitting information to leadership.

The volume of information germane to national issues is expanding so rapidly that policy makers are overwhelmed with data.

Policy makers need robust situational awareness over growing asymmetric threats to national security.

Policy makers need an overarching information and intelligence architecture that will quickly assimilate, analyze and display assessments and recommended course of action from many national agencies simultaneously.

Policy makers need tools to aid them in developing courses of action against threats to U.S. policy, interests, or security.

Policy makers need virtual communications with one another.

White House, Congress, Pentagon and at the agency levels should each have centers they can go to and receive, send, share, discuss, and collaborate on assessments before they act.

National Level Collaboration Solution: NOAH, National Operations and Analysis Hub.

Tasks supported by NOAH's overarching collaborative environment:

Provide Multi Issue, Multi-agency Hybrid Picture to White House Situation Room, JCS;

HUMINT Support;

Peackeeping Missions;

Humanitarian Aid;

Battle Damage Assessment;

Develop and Leverage new Technologies of important to national security;

Support Congressional Committees/Hearings;

Apply Analysis of Foreign Threat to Policy;

Provide Hybrid Situational Awareness Picture of the Threat;

Incorprote Industrial Efforts of Interests to the Policy Maker;

Link academia directly to policy maker; and

National Emergencies.

NOAH can leverage existing networks to address diverse issues:

NOAH's Hub Center if linked to other agency centers electronically;

Each key agency must prossess a Pod Site and be connected to the NOAH network;

The Pod can consist of a large screen and appropriate connect for collaboration. Operations Centers can simply be converted into NOAH;

National Policy makers cannot control agency Pods, agencies must post replicated data on the NOAH system so that sister groups can access data;

Support multi-level security requirements and can sanitize and ''push'' data to many types of users to many levels;

NOAH can address National, law enforcement and military needs. The situation will determine the mission;

Ties policy maker, military and law enforcement together;

Goals of the NOAH Hub Center is to apply agency operations, strategies analysis, tactical assessments to a course of action for the policy maker; and

Optimizes group of expertise within each organization—experts always on hand regardless of issue.

NOAH and Pod Site Network:

Part of national policy creation and execution system;

Will existing sites and connectivities where available;

Will share tools available at LIWA IDC so every agency has same tools;

All agencies will post data on NRO highway in a replicated format sensitive to classification;

NOAH's Global Network will use NRO System as backbone;

All centers connect to other centers electronically; and

Mechanism for gathering, analyzing, displaying, tailoring, and disseminating all kinds of information quickly at the national level.

Overview—National Operations and Analysis Hub:

Center dedicated to National Policy Makers at White House, Congress and National Agencies;

Provides system of system advanced technological communications environment to harvest, analyze, display data as needed;

Coordinate and synchronize information among IC, S&T centers, military services;

Provide near real time situational awareness at the national level;

Link virtually via a pod site to every participating member agency; and

Pod sites designed to pull together agency resources on single system of systems.

NOAH's is staffed by members from participating agencies. The staff has a 24 x 7, high bandwidth, virtual connectivity to experts at agency Pod Sites. This provides decision makers with real-time situational awareness of adversary picture and courses.

Steps to Achieve NOAH Capability:

Establish baseline capability by building initial Hub Center and congressional virtual hearing room. Equip White House Situation Room to Collaborate with these sites;

Staff the Hub Center with two reps from each of the 28 key participating agencies;

Link up NOAH internal and external collaborative environment;

Hook in Back up Site for redundancy and begin training on collaborative tools;

Build the 28 Key Agency Pod Sites along model of the Information Dominance Center at Fort Belvoir, VA;

Link all Pod Sites to NOAH hub center establish Protocols for Inter-agency data sharing;

Exercise live ability to retrieve, collate, analyze, display disparate data and provide policy makers course of action analysis at the NOAH Hub Center; and

Refine procedures and Protocols.

Agencies Represented in the National Collaborative Center:

Central Intelligence Agency; Defense Intelligence Agency; National Imagery and Mapping Agency; National Security Agency; National Reconnaissance Office; Defense Threat Reduction Agency; Joint Chiefs of Staff; Army/LIWA; Air Force; Navy; Marine Corps; Joint Counter-Intelligence Assessment Group; ONDCP; and FBI.

Drug Enforcement Agency; U.S. Customs; National Criminal Investigative Service; National Infrastructure Protection Center; Defense Information Systems Agency; State Department; Five CINCs; Department of Energy; Department of Commerce; Department of the Treasury; Justice Department; Office of the Secretary of Defense; National Military Command Center; and National Joint Military Intelligence Command.

Elements to be connected to the national collaborative center would include the White House Situation Room, a Congressional Virtual Hearing Room and a possible redundant, or back-up site.

This document, as you can see, Mr. Speaker, is entitled the NOAH, National Operations and Analysis Hub, Policy Makers' Tool for Acting Against Emerging Transnational Threats and Dangers to U.S. National Security. This 9-page briefing, Mr. Speaker, was put together in the spring of 1999.

I asked the Deputy Secretary of Defense, John Hamre, to take a look at this capability. He went down to the LIWA and he came back and he said, Congressman, you are right. I agree with you. This capability is amazing. It offers unlimited potential. How about sending me a letter describing your interest, Congressman?

So on July 30, 1999, I sent this 3-page letter to Deputy Secretary John Hamre, Deputy Secretary of Defense, at his request, talking about creating an integrated collaborative center for all of our intelligence. I would like to place this letter in the RECORD at this point in time, Mr. Speaker

HOUSE OF REPRESENTATIVES,
Washington, DC, July 30, 1999.

Hon. JOHN HAMRE,
Deputy Secretary of Defense,
The Pentagon, Washington, DC.

DEAR DR. HAMRE: I believe the time has come to create a central national level entity that can acquire, fuse and anaylze disparate data from many agencies in order to support the policy maker in taking action against threats from terrorism, proliferation, illegal technology diversions, espionage, narcotics, information warfare and cyberterrorism. These challenges are beginning to overlap, thereby blurring their distinction while posing increasing threats to our Nation.

Before we take action to counter these emerging threats, we must first understand their relationship to one another, their patterns, the people and countries involved, and the level of danger posed to our Nation. The Department of Defense has a unique opportunity to create a centralized national center that can do this for the country. It would be patterned after the Army's Land Information Warfare Activity (LIWA) at Fort Belvoir, but would operate on a much broader scale. This entity would allow for near-time information and analysis to flow to a central fusion center, which I would designate the National Operations Analysis Hub (NOAH). I think this title is fitting, as NOAH will provide a central hub built to protect our nation from the flood of threats.

NOAH would be comprised of a system of agency-specified mini-centers, or ''pods'' of participating agencies and services associated with growing national security concerns (attachment 1). NOAH would link the policymaker with action recommendations derived from fused information provided by the individual pods. NOAH would provide the automation and connectivity to allow the pods to talk together, share data and perspectives on a given situation in a near real-time, computer-based environment.

The NOAH center in the Office of the Secretary of Defense would be comprised of representatives from an initial cluster of pod sites to include: CIA, DIA, National Imagery and Mapping Agency (NlMA), NSA, NRO, Defense Threat Reduction Agency (DTSA), JCS, Army, Air Force, Navy, Marine Corps, ONDCP, FBI, DEA, Customs, National Criminal Investigative Service (NCIS), National Infrastructure Protection Center. Defense Information Systems Agency (DISA), State, the five CINCS, DOE, INS, Commerce. Treasury.

Elements which would be connected into NOAH would include the White House Situation Room, a Congressional Virtual Hearing Room and a possible redundant (back up) site.

The benefits of creating a NOAH include:

For national policy makers, a national collaborative, environment offers situations updates across a variety of issues and offers suggested courses of action, based on analysis, to help government officials make more informed decisions.

For the Intelligence Community, a national collaborative environment will help end stovepiping and create more robust strategic analyses as well as near real-time support to field operations.

For military commanders and planners, a national collaborative environment offers full battlefield visualization, threat profiling, robust situational awareness, as well as near real-timer support to special missions such as peacekeeping, humanitarian aid, national emergencies or special operations.

For law enforcement, a national collaborative environment provides investigative and threat profiling support, and field station situational awareness.

Along with its system of connected agency pod sites, NOAH would permit the display of collaborative threat profiling and analytical assessments on a large screen. It would be a national level operations and control center with a mission to intergrate various imagery, data and analytical viewpoints for decision-makers in support of national actions. I see NOAH as going beyond the capability of the National Military Command Center (NMCC) and the National Joint Military Intelligence Command (NJMIC), providing recommended courses of action that allow us to effectively meet those emerging challenges from asymmetrical threats in near real-time. Given its mission, I believe that NOAH should reside in the Office of the Secretary of Defense (Attachment 2).

I am aware of the initiative to link counterintelligence groups throughout the community. I am also aware of the counterterrorism center at the CIA, the new National Infrastructure Protection Center at the FBI, and a new HUMINT special operations center. I have heard of an attempt to connect the Office of Drug Control Policy (ONDCP) and OSD assets with federal, state and local law enforcement agencies. I also have seen what the Army has done at LIWA, which has created a foundation for creating a higher-level architecture collaborating all of these efforts. Each of these independent efforts needs to be coordinated at the national level. I believe LIWA has created a model that should be used as a basis for creating the participating agency pod sites.

I do not expect that establishment of NOAH should exceed $10 million. Each agency involved could set up its own pod to connect with the central NOAH site or to exchange data with any of its participants. Each agency could dedicate monies to establish their own pod site, while the $50 million available in DARPA for related work could be used to establish the NOAH structure immediately.

The NOAH concept of a national collaborative environment supporting policy and decision-makers mirrors the ideas you have expressed to me in recent discussions, and it is a tangible way to confront the growing assymetrical threats to our nation. I have a number of ideas regarding staffing options and industry collaboration, and would appreciate the opportunity to discuss them with you. Thank you for your consideration. I look forward to hearing from you at your earliest convenience.

Sincerely,

CURT WELDON,
Member of Congress.

Secretary Hamre was interested and he told me, Congressman, I will even pay the bill. The Defense Department will provide the funding for this. And I do not care where they put it, Congressman. It could be at the White House, it could be at the NSC, wherever it is most appropriate, but I will pay the bill. But, Congressman, the problem is not with me or the money. You have got to convince the CIA and the FBI that this is something they want to pursue.

In fact, he wrote me a letter, Mr. Speaker, dated October 21, 1999: ''Dear Congressman Weldon, I wholeheartedly agree that combating asymmetrical threats challenging national security requires a collaborative interagency approach as suggested in your concept of the National Operations Analysis Hub. We are actively engaged in assessing how the department should leverage ongoing activities and develop a long-term strategy along these lines. I will keep you apprised of our progress. I would be happy to meet with you on the subject.''

And then he puts a personal comment on the note that I will read. ''Sir, this is a mealy-mouth response because no one wants to commit to a LIWA-based solution. You know I am very impressed by LIWA and see them involved in a range of activities. I would like to get together with you to review some of our thinking when you have time. John.''

Mr. Speaker, I would like to place this in the RECORD.

DEPUTY SECRETARY OF DEFENSE,
Washington, DC, October 21, 1999.

Hon. CURT WELDON,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN WELDON: I wholeheartedly agree that combatting the asymmetrical threats challenging National Security requires a collaborative, inter-agency approach, as suggested in your concept of the National Operations Analysis Hub. We are actively engaged in assessing how the Department should leverage ongoing activities and develop a long-term strategy along these lines.

I will keep you apprised of our progress, and I would be happy to meet with you on this subject.

Sincerely,

JOHN J. HARME.

□ 2330

Mr. Speaker, that was in October of 1999 at John Hamre's suggestion on November 4 of 1999, almost 2 years before 9/11. I had John Hamre and the representatives of the CIA and the FBI in my office. And at John Hamre's suggestion, we went through the 9-page briefing to create an overarching national collaborative center. When I finished the briefing which had been prepared for me with our intelligence officials off the record, the CIA said, Congressman WELDON, that is all well and good, but we really do not need that capability. It is not necessary. We are doing something called CI–21; and, therefore, we do not need to pursue that multi-system approach that you have outlined where we bring in all of these other classified systems.

I was very unhappy with that response because I knew full well the Army and our special forces commands were using that capability at that very moment in a special project against al Qaeda.

So, Mr. Speaker, in 1999 and in 2000 and in 2001, I put language in each of our defense bills calling for the creation of a national collaborative center to bring together our disparate intelligence capabilities and systems for 3 consecutive years. And, in fact, one of

those bills required a response by the CIA as to why this system had not been put into place.

But in the meantime, on November 12, 1999, the Defense Information and Electronics Report published an article about the need for a massive intelligence network for shared threat information. On April of 2000, Signal Magazine did another story on a fusion center concept taking root as we kept pushing this process.

Mr. Speaker, the following are both of these articles:

[Nov. 12, 1997]

DEFENSE INFORMATION AND ELECTRONICS REPORT

WELDON: DOD NEEDS MASSIVE INTELLIGENCE NETWORK FOR SHARED THREAT INFORMATION

Senior Pentagon officials are mulling over an idea proposed by Rep. Curt Weldon (R–PA) that would link classified and unclassified documents in a massive intelligence clearinghouse that could be accessed by 33 federal agencies—a concept similar in some ways to one floated by DOD intelligence officials but with significantly fewer players involved.

''Our problem with intelligence is that we're stove-pipped,'' said Weldon, chairman of the House Armed Services military research and development subcommittee, during a Nov. 8 interview. ''Each agency has its own way of collecting data and analyzing it, but they don't share that information with other agencies. The need is to have a better system of analyzing and fusing data sets across agencies and services—certainly within the Pentagon and the military, but my opinion is that we have to go further than that.''

Weldon first proposed the concept of a ''National Operations Analysis Hub'' to Deputy Defense Secretary John Hamre last July, although the congressman said he kept his initiative quiet until a stronger plan could be developed.

The Pentagon-funded network of agencies would be operated by DOD. According to Weldon, it would pull together large amounts of information to produce intelligence profiles of people, regions and national security threats, such as information warfare and cyber-terrorism.

''The NOAH concept of a national collaborative environment supporting policy and decision-makers mirrors the ideas you have expressed to me in recent discussions, and it is a tangible way to confront the growing asymmetrical threats to our nation.'' Weldon wrote in his July 30 letter to Hamre.

The NOAH concept, however, was not wholeheartedly embraced by Hamre, who met with Weldon last summer and told the congressman his suggested use of the Army's Land Information Warfare Activity at Ft. Belvoir, VA, as a model for NOAH, would never stick.

Because LIWA is already short of resources, the Army is apprehensive about taking on any new tasks, Hamre told Weldon.

Weldon, in a July 21 letter to Hamre, also urged the Pentagon to support additional future funding for LIWA, citing critical budget shortfalls that he said have kept the agency from fulfilling a barrage of requests for intelligence files from Army commanders (Defense Information and Electronics Report, July 30, p1).

''There's massive amounts of data out there, and you have to be able to analyze it and create ways to focus on that data so its relevant to whatever you're interested in,'' he said this week about his support for LIWA. ''Well the Army has already done that.''

While Weldon continues to push for NOAH to be patterned after LIWA, he sees it operating on a much larger scale. Impressed by its ability to pull together huge amounts of both unclassified and classified data, Weldon noted LIWA's Information Dominance Center can create in-depth profiles that could be useful to the CIA, FBI and the White House. Yet most federal agencies don't even know LIWA exists, he added.

''Right now the military is limited to [its] own sources of information,'' Weldon said. ''And in the 21st century, a terrorist group is more than likely going to be involved with terrorist nations. So the boundaries are crossed all the time. We don't have any way to share that and get beyond the stove-pipping.''

Meanwhile, officials within the Defense Department's intelligence community have been considering another way to amass intelligence information through a concept called the Joint Counter-intelligence Assessment Group. A DOD spokeswoman said proponents of the idea, for now, are unwilling to disclose details about it. She was also unable to say whether a formal proposal to Hamre had been made yet.

In Weldon's July 30 letter to Hamre, however, Weldon alludes to an ongoing ''initiative to link counterintelligence groups throughout the community.''

''I have heard of an attempt to connect the Office of Drug Control Policy (ONDCP) and [Office of the Secretary of Defense] assets with federal, state and local law enforcement agencies,'' Weldon wrote. However, Weldon said in the interview he believes JCAG is simply more ''stove-pipping.''

''I also have seen what the Army has done at LIWA, which has created a foundation for creating a higher-level architecture collaborating all of these efforts,'' his July letter states.

NOAH would link together almost every federal agency with intelligence capabilities, including the National Security Agency, the Nation Imagery and Mapping Agency, the Energy Department, the CIA and the FBI. Both Congress and the White House would be offered a ''node'' for briefing capabilities, meaning intelligence agencies could detail situations on terrorist attacks or wartime scenarios.

''It's mainly for policymakers, the White House decision makers, the State Department, military, and military leaders,'' he said.

Although information sharing among the intelligence community has yet to be formalized through NOAH or JCAG or a similar system, military officials have said they need some kind of linked access capability.

Intelligence systems need to be included within the Global Information Grid—the military's vision of a future global network that could be accessed from anywhere in the world, said Brig. Gen. Manlyn Quagliotti, vice director of the Joint Staff's command and control, communications and computers directorate, during a Nov. 5 speech on information assurance at a conference in Arlington, VA.

''We need a more integrated strategy, including help from [the Joint Staff's intelligence directorate] with Intelligence reports or warnings of an attack,'' he said.

Quagliotti said the toughest challenge for achieving ''information superiority'' is the need to unite networks and network managers under one command structure with stronger situational awareness capabilities.

Part of [the challenge] is the overwhelming amount of information, the ability to access that Information, and the ability to reach back and get that information, which means that networks become more crucial to the warfight'' she said.

FUSION CENTER CONCEPT TAKES ROOT AS CONGRESSIONAL INTEREST WAXES

[From Signal, Apr. 2000]

Creation of a national operations and analysis hub is finding grudging acceptance among senior officials in the U.S. national security community. This fresh intelligence mechanism would link federal agencies to provide instant collaborative threat profiling and analytical assessments for use against asymmetrical threats. National policy makers, military commanders and law enforcement agencies would be beneficiaries of the hub's information.

Prodded by a resolute seven-term Pennsylvania congressman and reminded by recent terrorist and cyberthreat activities, the U.S. Defense Department is rethinking its earlier aversion to the idea, and resistance is beginning to crumble. Funding to establish the national operations and analysis hub (NOAH), which would link 28 federal agencies, is anticipated as a congressional add-on in the Defense Department's new budget. An initial $10 million in funding is likely in fiscal year 2001 from identified research and development accounts.

Spearheading the formation of NOAH is Rep. Curt Weldon (R–PA), chairman of the U.S. House of Representatives National Security Committee's military research and development subcommittee. He emphasizes that challenges facing U.S. leaders are beginning to overlap, blurring distinction and jurisdiction. ''The increasing danger is both domestic and international.''

Conceptually, NOAH would become a national-level operations and control center with a mission to integrate various imagery, data and analytical viewpoints. The intelligence products would support U.S. actions. ''I see NOAH as going beyond the capability of the National Military Command Center and the National Joint Military Intelligence Command. NOAH would provide recommended courses of action that allow the U.S. to effectively meet emerging challenges in near real time,'' the congressman illustrates.

''This central national-level hub would be composed of a system of agency-specified mini centers, or 'pods,' of participating agencies and services associated with growing national security concerns,'' Weldon reports. ''NOAH would link the policy with action recommendations derived from fused information provided by the individual pod.'' Automation and connectivity would allow the to talk to each other in a computer-based environment to share data and perspectives on a given situation.

The congressman believes that NOAH should reside within the Defense Department and is modeling the hub's concept on a U.S. Army organization he closely follows. He says the idea for NOAH comes from officials in several federal agencies. However, it is also based on his own experiences with the U.S. Army's Intelligence and Security Command's (INSCOM's) Land Warfare Information Activity (LIWA) and Information Dominance Center, Fort Belvoir, Virginia.

Patterned after LIWA (SIGNAL, March, page 31), NOAH would display collaborative threat profiling and analysis with the aid of a variety of electronic tools, the hub would support national actions, Weldon discloses.

The congressman is conscious of other initiatives such as linking counterintelligence groups throughout the community. He also is aware of the Central Intelligence Agency's, (CIA's) counterterrorism center, the Federal Bureau of Investigation's (FBI's) National Infrastructure Protection Center and a new human intelligence (HUMINT) special operations center, ''We don't need another

analytical center. Instead, we need a national-level fusion center that can take already analyzed data and offer courses of action for decision making,'' he insists.

Weldon's wide experience in dealing with officials from the FBI, CIA and the National Security Agency (NSA) convince him that policy makers are continuing to work in a vacuum. ''Briefings and testimonies are the primary vehicles for transmitting information to leaders. The volume of information germane to national security issues is expanding so rapidly that policy makers are overwhelmed with data,'' he claims.

Robust situational awareness of asymmetric threats to national security is a key in assisting leaders, Weldon observes. ''Policy makers need an overarching information and intelligence architecture that will quickly assimilate, analyze and display assessments and recommend courses of action for many simultaneous national emergencies,'' he declares. The concept of NOAH also calls for virtual communications among policy makers.

Weldon's plan is for White House, Congress, Pentagon and agency-level leaders each to have a center where they receive, send, share and collaborate on assessments before they act. He calls NOAH the policy maker's tool. In the collaborative environment, the hub would provide a multiissue, multiagency hybrid picture to the White House situation room and the Joint Chiefs of Staff.

NOAH's concept also includes support for HUMINT and peacekeeping missions along with battle damage assessment. The same system could later help brace congressional committees and hearings. The new capability would allow application of foreign threat analyses to policy, while providing a hybrid situational awareness picture of the threat, Weldon relates. Industrial efforts of interest to the policy maker could be incorporated, and academia also could be directly linked.

In meetings with high-level FBI, CIA and defense officials, Weldon stressed the need to ''acquire, fuse and analyze disparate data from many agencies in order to support the policy maker's actions against threats from terrorism, [ballistic misile] proliferation, illegal technology diversions, espionage, narcotics [trafficking], information warfare and cyberterrorism.'' He is convinced that current collection and analysis capabilities in various intelligence agencies are stovepiped. ''To some extent, this involves turf protection, but it clearly hinders policy making.''

Weldon, who was a Russian studies major, offers some of his own recent experiences as examples of why there is a strong need for NOAH. He maintains close contact with a number of Russians and understands their programs and technologies. The congressman is quick to recall vignettes about Russian officials and trips to facilities in the region.

During the recent U.S. combat action involvement in Kosovo, Weldon was contacted by senior Russian officials.* * *

Weldon learned from the agents that they were seeking information on Karic to brief the State Department. When he explained that the information came from the Army and LIWA, the CIA and FBI agents had no knowledge of that organization, he confirms. Before his departure for Vienna, the congressman received a six-page LIWA profile of Karic and his family's links to Milosevic.

''This is an example of why an organization like NOAH is so critically necessary,'' Weldon contends. ''LIWA's Information Dominance Center provides the best capability we have today in the federal government to assess massive amounts of data and develop profiles. LIWA uses its contacts with other agencies to obtain database information from those systems,'' he explains. ''Some is unclassified and some classified.''

Weldon cites an ''extraordinary capability by a former CIA and Defense Intelligence Agency official, who is a LIWA profiler, as one of the keys in LIWA's success. She does the profiling and knows where to look and which systems to pull information from in a data mining and extrapolation process,'' he proclaims. ''She makes the system work.''

Weldon intends to use LIWA's profiling capability as a model for building NOAH. ''My goal is to go beyond service intelligence agencies and integrate all intelligence collection. This must be beyond military intelligence, which is too narrow in scope, to provide a governmmentwide capability. Each agency with a pod linked to NOAH would provide two staff members assigned at the hub, which would operate continuously. Data brought together in ''this cluster would be used for fusion and profiling, which any agency could then request,'' he maintains.

NOAH would not belong to the Army, which would continue with its own intelligence capabilities as would the other services. There would only be one fusion center, which would handle input from all federal agencies and from open sources, Weldon explains. ''NOAH would handle threats like information operations and examine stability in various regions of the world. We need this ability to respond immediately.'' The congressman adds that he recently was briefed by LIWA on very sensitive, very limited and scary profile information, which he describes as ''potentially explosive.'' In turn, Weldon arranged briefings for the chairman of the House National Security Committee, the Speaker of the House and other key congressional leaders.

''But this kind of profiling capability is very limited now. The goal is to have it on a regular basis. The profiling could be used for sensitive technology transfer issues and information about security breaches,'' the congressman allows. LIWA has what he terms the fusion and profiling state-of-the-art capability in the military, ''even beyond the military.'' Weldon is pressing the case for NOAH among leaders in both houses of Congress. ''It is essential that we create a governmentwide capability under very strict controls.''

Weldon adds that establishing NOAH is not a funding issue; it is a jurisdictional issue. ''Some agencies don't want to tear down their stovepipes. Yet, information on a drug lord, as an example, could be vitally important to help combat terrorism.'' He makes a point that too often, federal agencies overlap each other in their efforts to collect intelligence against these threats, or they fail to pool their resources and share vital information. ''This redundancy of effort and confusion of jurisdiction only inhibits our nation's capabilities,'' he offers.

NOAH would provide high-bandwidth, virtual connectivity to experts at agency pod sites. Protocols for interagency data sharing would be established and refined in links to all pod sites. The ability to retrieve, collate, analyze and display data would be exercised to provide possible courses of action. A backup site would be established for redundancy, and training would begin on collaborative tools as soon as it is activated.

The hub system would become part of the national policy creation and execution system. The tools available at LIWA would be shared so that every agency would have the same tools. Weldon explains that all agencies would post data on the National Reconnaissance Office (NRO) highway in a replicated format sensitive to classification. NOAH's global network would use the NRO system as a backbone.

NOAH optimizes groups of expertise within each organization—experts who are always on hand regardless of the issue. This approach ties strategic analysis and tactical assessment to a course of action. ''Before the U.S. can take action against emerging threats, we must first understand their relationship to one another, their patterns, the people and countries involved and the level of danger posed to our nation,'' Weldon say's ''That is where NOAH begins.''—CAR

So we have pushed the process, Mr. Speaker. We pushed it in legislation passed by this Congress 3 years in a row. I pushed it publicly in magazine articles, in newspapers, in speeches before intelligence symposiums and agency briefings; but the CIA continued to balk.

In fact, Mr. Speaker, I have one of the report languages from H.R. 5408, the conference report printed October 6, 2000, the section entitled ''Joint Report on Establishment of a National Collaborative Information Analysis Capability.''

That section is as follows:

Joint report on establishment of national collaborative information analysis capability (sec. 933)

The House bill contained a provision (sec. 905) that would: (1) require the Secretary of Defense and the Director of Central Intelligence to prepare a joint report assessing alternatives for the establishment of a national collaborative information analysis capability; (2) require the Secretary of Defense to complete the data mining, profiling, and analysis capability of the Army's Land Information Warfare Activity; and (3) restrict funds to establish, support, or implement a data mining and analysis capability until such a capability is specifically authorized by law.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would: (1) require the Secretary of Defense and the Director of Central Intelligence to prepare a joint report assessing alternatives for the establishment of a national collaborative information analysis capability; and (2) require the Secretary of Defense to complete the data mining, profiling, and analysis capability of the Army's Land Information Warfare Activity. The amendment would not restrict funds, but would require the Secretary to make appropriate use of such capability to provide support to appropriate national defense components.

Mr. Speaker, to push this process, a report came back from the CIA dated May 1, 2001, just a few short months before 9/11. And I will read one sentence in this report in the summary: ''A single overarching collaborative solution addressing the totality of mission requirements is not practical.''

In other words, the CIA said, We cannot create what the Department of Defense already has. Now, Mr. Speaker, the Department of Defense and the Army and our special forces commands already had this capability, and they were using it in 1999 and 2000. I knew they were using it, but was not quite sure of the extent of the use until 2 weeks after 9/11.

Mr. Speaker, exactly 2 weeks after 9/11 where I lost some very good friends, Ray Downey, the chief of all rescue for the New York City Fire Department and one of my best friends, was the chief of all rescue at Ground

Zero when the first tower came down. It was Ray Downey who had taken me through the Trade Center in 1993 when bin Laden hit us the first time. It was Ray Downey who convinced me in the late 1990s to introduce legislation, eventually becoming law, to create a commission to make recommendations to prepare for the next terrorist threat.

My legislation was passed, became law, and created what is now known as the Gilmore Commission, chaired by Virginia Governor Jim Gilmore. Ray Downey was one of those commissioners. The Gilmore Commission and Ray Downey gave us three reports before 9/11 of recommendations of things we should be doing to prepare for the next terrorist attack. And they gave us those three reports before 9/11 occurred. In fact, almost 40 percent of the recommendations of the 9/11 Commission were actual recommendations of the Gilmore Commission. But because the attack had not occurred, it did not get as much visibility.

On September 11, Ray Downey was killed. I brought his wife and five kids to my district 1 month after 9/11, and 40,000 of my constituents came out to honor Ray as an American hero at a parade ending at our county park.

We also lost one of my neighbors, Mr. Speaker, a fellow graduate of Westchester University, Michael Horrocks who served our Nation in the Navy, was a pilot on one of the planes that was commandeered on September 11. Michael left behind a young wife, a teacher in my district, and two young children in the Rose Tree Media School District. In fact, we built a playground in Michael's honor at the school of the two children.

Mr. Speaker, September 11 touched all of us; 3,700 of us were wiped out. Two weeks after 9/11, my friends from the Army's Information Dominance Center in cooperation with special ops brought me a chart. This chart, Mr. Speaker, this chart. Two weeks after 9/11, I took the basic information in this chart down to the White House. I had asked for a meeting with Steve Hadley, who at that time was Deputy National Security Advisor. The chart was smaller. It was 2 feet by 3 feet, but the same information was in the center.

Steve Hadley looked at the chart and said, Congressman, where did you get that chart from? I said, I got it from the military. I said, This is the process; this is the result of the process that I was pitching since 1999 to our government to implement, but the CIA kept saying we do not need it.

Steve Hadley said, Congressman, I am going to take this chart, and I am going to show it to the man. The man that he meant, Mr. Speaker, was the President of the United States. I said, Mr. Hadley, you mean you have not seen something like this before from the CIA, this chart of al Qaeda worldwide and in the U.S.? And he said, No, Congressman. So I gave him the chart.

Now, Mr. Speaker, what is interesting in this chart of al Qaeda, and you cannot see this from a distance, but right here in the center is the name of the leader of the New York cell. And that name is very familiar to the people of America. That name is Mohammed Atta, the leader of the 9/11 attack against us. So prior to 9/11, this military system that the CIA said we did not need and could not do actually gave us the information that identified Mohammed Atta's cell in New York. And with Mohammed Atta they identified two of the other terrorists with them.

But I learned something new, Mr. Speaker, over the past several weeks and months. I have talked to some of the military intelligence officers who produced this document, who worked on this effort. And I found something out very startling, Mr. Speaker. Not only did our military identify the Mohammed Atta cell; our military made a recommendation in September of 2000 to bring the FBI in to take out that cell, the cell of Mohammed Atta. So now, Mr. Speaker, for the first time I can tell our colleagues that one of our agencies not only identified the New York cell of Mohammed Atta and two of the terrorists, but actually made a recommendation to bring the FBI in to take out that cell. And they made that recommendation because Madeleine Albright had declared that al Qaeda, an international terrorist organization, and the military units involved here felt they had jurisdiction to go to the FBI.

Why, then, did they not proceed? That is a question that needs to be answered, Mr. Speaker. I have to ask, Mr. Speaker, with all the good work that the 9/11 Commission did, why is there nothing in their report about able danger? Why is there no mention of the work that able danger did against al Qaeda? Why is there no mention, Mr. Speaker, of a recommendation in September of 2000 to take out Mohammed Atta's cell which would have detained three of the terrorists who struck us?

□ 1140

Those are questions, Mr. Speaker, that need to be answered.

Last week, I asked the gentleman from California (Mr. HUNTER), the chairman of the Committee on Armed Services, my good friend, and the gentleman from Michigan (Mr. HOEKSTRA), the chairman of the Permanent Select Committee on Intelligence, my good friend, who I have the highest respect for both of these individuals, to allow us to proceed with an investigation that has not yet been brought forward to the American people and our colleagues in this body.

We need to know, Mr. Speaker, why those recommendations, if they, in fact, occurred, as my intelligence military friends told me that they occurred, why were they stopped. Now, Mr. Speaker, I have been told informally that they were stopped because the lawyers at that time in 2000 told them that Mohamed Atta had a green card and they could not go after someone with a green card.

I have also been told, Mr. Speaker, that it was because of the fear of the lawyers of the fallout that had occurred on the Waco attack in Texas just a short time earlier. Mr. Speaker, if that is, in fact, the case, that is an outrage and a scandal. If our reason for not going after the Mohamed Atta cell was because of the fear of the fallout from Waco, then someone needs to answer some questions.

The bottom line process in all of this, Mr. Speaker, is that this capability, which the CIA said we did not need, which the CIA said was not necessary, which was, in fact, being used by the military, both the Army and Special Forces command did something the CIA did not do. It identified the key cell of Mohamed Atta prior to 9/11, and it actually gave us a suggestion to deal with that cell. Mr. Speaker, this story needs to be investigated. This information needs to be pursued.

Now, Mr. Speaker, in spite of the CIA's refusal to implement a national collaborative center, thank goodness our President did respond, and in January of 2003, standing in this very chamber, in the State of the Union speech, he announced the TTIC, the Terrorism Threat Integration Center. Mr. Speaker, the TTIC is identical to the NOAH, no different, same concept, same design, linkage together in one location of all 33 classified systems.

But, Mr. Speaker, we proposed that in 1999, 2 years prior to 9/11. The administration put it into place in January of 2003. That is the same capability that the CIA said we do not need that, Congressman; we cannot do that, Congressman; we have better ways to assess emerging threats. TTIC has now been reformed. It is now known as the NCTC, the National Counterterrorism Center, but Mr. Speaker, I still have concerns, and I rise this evening to express those concerns.

This capability was produced in 1999 and 2000 by the IDC, the Information Dominant Center. I asked them to update me on al Qaeda, to show me what they can do today at the IDC. This, Mr. Speaker, is al Qaeda today. It is obviously impossible for anyone watching our television monitor to see what is on this chart. I have had this chart magnified by a large factor and have large copies in my office.

Each of these little individual people are cells of al Qaeda, are groups of al Qaeda, clusters of al Qaeda around the world. In fact, Mohamed Atta's cell is identified in this chart. This chart, Mr. Speaker, was prepared through the national collaborative efforts of our IDC, using, Mr. Speaker, open source data. That chart was produced with open source data.

What troubles me, Mr. Speaker, is in talking to my friends in the defense community who work with the NCTC, I have learned that quite possibly the NCTC cannot duplicate this capability. That is a question I plan to get answered this week because we have a

very new and very capable leader of the NCTC that hopefully will tell me I am wrong, that they can produce this kind of capability to understand a threat group like al Qaeda.

I rise tonight, Mr. Speaker, to raise the importance of intelligence collaboration. We can never allow ourselves to return back to the days prior to 9/11, to the days where individual agencies or individual agencies that think that they have all of the answers in providing security for our country and intelligence for our agencies and our policy-makers. Mr. Speaker, we can never return to the days of 1999 and 2000, and I hope this is not the case today, but back in those days where the agency bureaucrats were fighting with each other over who would take credit for the best information. Let me read a couple of excerpts, Mr. Speaker.

Back in 1999, when I was pushing the CIA to establish this collaborative capability and our military was actually using that capability, focusing on emerging threats like al Qaeda, this conversation went back and forth, Mr. Speaker, September 1999. This is, by the way, written from military intelligence officers, a summary of notes to me.

At the military's inception, the CIA drags its feet and limits its support to the effort. In an off-the-record conversation between the DCI and the CIA representative to this military unit, a man that I will call Dave and our military intelligence officer explains that even though he understands the military's effort is against the global infrastructure of al Qaeda, he tells me that the CIA will, and I quote, never provide the best information on al Qaeda, end quote. Why would they not do that? Because of the effort that they were taking as part of a finding they had on bin Laden himself and if the military's project was successful it would, quote, steal their thunder. Steal the CIA's thunder.

Dave went on to say that short of the CINC, General so and so, calling the Director, George Tenet, directly, the CIA would never provide the best information to the military on al Qaeda. To my knowledge, that information was never provided.

Mr. Speaker, never again can America allow intelligence bureaucrats to argue back and forth over who is going to steal whose thunder, that you heaven forbid would want to embarrass the CIA because a military intelligence unit got information that is supposed to be under their authority and jurisdiction.

Mr. Speaker, I am not going to read all these pages, but this classified information that I have to back up what I have given in unclassified format, will be provided and has been provided for the chairman of our intelligence oversight committee and our armed services oversight committee.

Again, I have to ask the question, why did the 9/11 Commission not investigate this entire situation? Why did the 9/11 Commission not ask the question about the military's recommendation against the Mohamed Atta cell? Why did the 9/11 Commission not document the internal battles and disputes between agency personnel going after the same terrorist organization al Qaeda?

If we are truly going to have an understanding of the need to reform our intelligence system, then we have to be honest with the American people about the past.

□ 2350

Mr. Speaker, I rise tonight because I am very troubled by what I have seen and by what I have heard. I have interviewed and talked to some very brave military intelligence officers who, back in 1999 and 2000, were involved in protecting America. They knew what we needed, and they were trying to do it. As I have read to you, there were some in other agencies, especially the CIA and some in DIA, who were saying you cannot do that, that is not your area. That is our area. You cannot steal our thunder. That is our job, not your job.

Never again, Mr. Speaker, can we allow agency bureaucrats to argue over who is going to get the credit for solving the next attack or planned attack against us. I do not rise tonight, Mr. Speaker, to embarrass anyone. I rise tonight because of my own frustration. We knew 6 years ago what direction we had to go. The agency said we do not need that, Congressman, we know better than the Congress. Trust us.

Thank goodness President Bush put that system in place when he took office. If we had had that system in 1999 and 2000, which the military had already developed as a prototype, and if we had followed the lead of the military entity that identified the al Qaeda cell of Mohamed Atta, then perhaps, Mr. Speaker, 9/11 would never have occurred. Certainly taking out the Mohamed Atta cell and two of the terrorists that were with him, would have had a profound positive impact in shutting down the major plan against us that moved forward on September 11, 2001.

Mr. Speaker, I have placed these documents in the RECORD because I want our colleagues to have a chance to read them. I want our colleagues to see the facts and the information, and I want to support our very capable chairman, the gentleman from California (Mr. HUNTER) and the gentleman from Michigan (Mr. HOEKSTRA) as they move forward with an investigation.

We have to ask the question, why have these issues not been brought forth before this day? I had my Chief of Staff call the 9/11 Commission staff and ask the question: Why did you not mention Able Danger in your report? The Deputy Chief of Staff said, well, we looked at it, but we did not want to go down that direction.

So the question, Mr. Speaker, is why did they not want to go down that direction? Where will that lead us? Why do we not want to see the answers to the questions I have raised tonight? Who made the decision to tell our military not to pursue Mohamed Atta? Who made the decision that said that we are fearful of the fallout from Waco politically?

Were those decisions made by lawyers? Were they made by policymakers? Who within the administration in 2000 was responsible for those actions? This body and the American people need to know.

CORRECTION TO THE CONGRESSIONAL RECORD OF FRIDAY, JUNE 24, 2005, AT PAGE H5116

Mr. GEORGE MILLER of California. Mr. Chairman, I have a point of personal privilege.

Mr. Chairman, I believe, under the traditions of the House, the Chair is the Speaker of the Whole House, and the Chair has an obligation to call the vote in the manner in which the vote was arrived at under the voice vote. It is not a question of whether the ayes or the noes will prevail on a recorded vote. The question is what happened on the floor at that particular time. In this instance, the yeas prevailed, and the Chair said the noes prevailed.

A number of years ago, we had very heated debates on this floor from the Republican side, from Mr. Walker, because they felt that they were insulted, especially when cameras came into this Chamber, that the Chair would call votes against their interests when they clearly prevailed on the voice. The Chair was admonished by the Speaker of the House, and we went back to what was the traditionally fair point of view.

So I would ask the Chair in the future, and future Chairs, to recognize that the Chair is calling the event that takes place in front of the Chair on the floor, not what the Chair perceives to be, and may be correctly so, the outcome of the vote later on in the day when the recorded vote is taken.

Mr. Chairman, I demand a recorded vote on the Chair's ruling.

CORRECTION TO THE CONGRESSIONAL RECORD OF FRIDAY, JUNE 24, 2005, AT PAGE H5163

The SPEAKER pro tempore. Pursuant to House Resolution 337, the previous question is ordered.

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the minimum time for electronic voting on any motion to recommit may be 5 minutes, notwithstanding that it would be the first vote in a series.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, we cannot hear.

Mr. Speaker, I withdraw my objection, and I support the gentleman's motion.

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

There was no objection.

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

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Ms. PELOSI) for today on account of business in the district.

Mr. BISHOP of New York (at the request of Ms. PELOSI) for today on account of personal business.

Mr. BOYD (at the request of Ms. PELOSI) for June 22 and the balance of that week on account of medical reasons.

Mr. CARDIN (at the request of Ms. PELOSI) for today.

Mr. ISRAEL (at the request of Ms. PELOSI) for today on account of health reasons.

Ms. CARSON (at the request of Ms. PELOSI) for today on account of business in the district.

Mrs. JONES of Ohio (at the request of Ms. PELOSI) for today on account of BRAC hearings.

Mr. HIGGINS (at the request of Ms. PELOSI) for today on account of official business.

Ms. KILPATRICK of Michigan (at the request of Ms. PELOSI) for today.

Mr. MICHAUD (at the request of Ms. PELOSI) for today and June 28 on account of official business.

Mr. RAHALL (at the request of Ms. PELOSI) for today on account of official business.

Mr. ROSS (at the request of Ms. PELOSI) for today on account of personal business.

Mr. ISTOOK (at the request of Mr. DELAY) for today on account of official business in New York City.

Mr. MCHUGH (at the request of Mr. DELAY) for today and June 28 on account of official business in his district.

Mr. MCKEON (at the request of Mr. DELAY) for today on account of travel logistics.

Mr. WALDEN of Oregon (at the request of Mr. DELAY) for today on account of family business.

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. SCHIFF) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mrs. MCCARTHY, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. BERMAN, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.

Ms. LINDA T. SÁNCHEZ of California, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

(The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:)

Mr. MORAN of Kansas, for 5 minutes, June 29.

Mr. FRANKS of Arizona, for 5 minutes, June 29 and 30.

Mr. JONES of North Carolina, for 5 minutes, June 28, 29, and 30.

Mr. PRICE of Georgia, for 5 minutes, today.

Ms. FOXX, for 5 minutes, June 28.

Mr. GOHMERT, for 5 minutes, today.

ADJOURNMENT

Mr. WELDON of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 54 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 28, 2005, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2466. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of an Accountability Review Board to examine the facts and the circumstances of the loss of life at a U.S. mission abroad and to report and make recommendations at a U.S. mission abroad, pursuant to 22 U.S.C. 4831 et. seq.; to the Committee on International Relations.

2467. A letter from the Director, U.S. Census Bureau, Department of Commerce, transmitting the Department's final rule — Requirements for Reporting the Kimberley Process Certificate Number for Exports and Reexports of Rough Diamonds (RIN: 0607-AA44) received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2468. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) and (d) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment to the Government of Japan (Transmittal No. DDTC 022-05); to the Committee on International Relations.

2469. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles or defense services from the Government of Japan (Transmittal No. DDTC 018-05); to the Committee on International Relations.

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. LINCOLN DIAZ-BALART of Florida: Committee on Rules. House Resolution 341. Resolution providing for consideration of the bill (H.R. 3057) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109–155). Referred to the House Calendar.

Mr. LINCOLN DIAZ-BALART of Florida: Committee on Rules. House Resolution 342. Resolution providing for consideration of the bill (H.R. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109–156). Referred to the House Calendar.

Mr. BOEHLERT: Committee on Science. H.R. 426. A bill to encourage the development and integrated use by the public and private sectors of remote sensing and other geospatial information, and for other purposes; with an amendment (Rept. 109–157). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOEHLERT: Committee on Science. H.R. 1022. A bill to provide for a Near-Earth Object Survey program to detect, track, catalogue, and characterize certain near-earth asteroids and comets (Rept. 109–158). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CALVERT (for himself and Mr. BOEHLERT):

H.R. 3070. A bill to reauthorize the human space flight, aeronautics, and science programs of the National Aeronautics and Space Administration, and for other purposes; to the Committee on Science.

By Mr. NEY (for himself and Ms. MILLENDER-MCDONALD):

H.R. 3071. A bill to permit the individuals currently serving as Executive Director, Deputy Executive Directors, and General Counsel of the Office of Compliance to serve one additional term; to the Committee on House Administration.

By Mr. DAVIS of Illinois:

H.R. 3072. A bill to revive the system of parole for Federal prisoners, and for other purposes; to the Committee on the Judiciary.

By Mr. LEWIS of Kentucky:

H.R. 3073. A bill to allow Congress to reverse the judgments of the United States Supreme Court; to the Committee on the Judiciary, and in addition to the Committee on Rules, 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. PAUL:

H.R. 3074. A bill to ensure and foster continued patient safety and quality of care by exempting health care professionals from the Federal antitrust laws in their negotiations with health plans and health insurance issuers; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 3075. A bill to amend the Internal Revenue Code of 1986 to make health care coverage more accessible and affordable; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 3076. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for the cost of insurance against negative outcomes from surgery, including against malpractice of a physician; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 3077. A bill to amend the Internal Revenue Code of 1986 to allow individuals a credit against income tax for medical expenses for dependents; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. MILLER of Florida):

H.R. 3078. A bill to amend the Internal Revenue Code of 1986 to waive the employee portion of Social Security taxes imposed on individuals who have been diagnosed as having cancer or a terminal disease; to the Committee on Ways and Means.

By Mr. PAUL (for himself and Mr. OTTER):

H.R. 3079. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on the sale of animals which are raised and sold as part of an educational program; to the Committee on Ways and Means.

By Mr. TERRY (for himself, Mr. BARTLETT of Maryland, Mr. FORTENBERRY, Ms. FOXX, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mr. DOOLITTLE, Mr. PENCE, Mr. GINGREY, Ms. GINNY BROWN-WAITE of Florida, Mr. PITTS, Mr. BOUSTANY, and Mr. MANZULLO):

H.R. 3080. A bill to amend the Internal Revenue Code of 1986 to increase tax benefits for parents with children, and for other purposes; to the Committee on Ways and Means.

By Ms. LEE:

H. Con. Res. 193. Concurrent resolution supporting the goals and ideals of National HIV Testing Day; to the Committee on Energy and Commerce.

By Mr. CROWLEY (for himself, Mr. BROWN of Ohio, Mrs. DAVIS of California, Mr. ENGEL, Mr. HIGGINS, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. KELLY, Ms. LEE, Mrs. MALONEY, Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. PITTS, Mr. RANGEL, Ms. ROS-LEHTINEN, Mr. SANDERS, Ms. SOLIS, Mr. WEXLER, Mr. WILSON of South Carolina, Mr. LANTOS, Mr. ACKERMAN, Ms. MOORE of Wisconsin, Ms. LINDA T. SÁNCHEZ of California, Mr. SERRANO, Mr. PALLONE, Ms. WASSERMAN SCHULTZ, Mr. MEEK of Florida, Ms. WATSON, Mr. ISSA, and Ms. WATERS):

H. Res. 343. A resolution commending the State of Kuwait for granting women certain important political rights; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 282: Mr. HULSHOF and Mr. CALVERT.

H.R. 427: Mr. BERMAN.

H.R. 752: Mr. LARSON of Connecticut.

H.R. 838: Mr. CLEAVER, Mr. KENNEDY of Rhode Island, Ms. WOOLSEY, Mr. BARROW, and Ms. SCHAKOWSKY.

H.R. 867: Mr. FRANK of Massachusetts.

H.R. 887: Ms. SCHAKOWSKY.

H.R. 934: Mr. MCHUGH.

H.R. 939: Mr. RYAN of Ohio and Mr. STRICKLAND.

H.R. 1039: Mr. POMEROY.

H.R. 1337: Mr. BISHOP of Utah.

H.R. 1338: Ms. SCHAKOWSKY.

H.R. 1339: Mr. HENSARLING.

H.R. 1505: Mr. GREEN of Wisconsin.

H.R. 1588: Mr. RUPPERSBERGER and Mr. WAXMAN.

H.R. 1651: Mr. BOSWELL, Mr. BURGESS, Mr. MARCHANT, Mr. ROSS, and Mrs. DRAKE.

H.R. 1678: Mr. PAUL and Mr. KUHL of New York.

H.R. 1687: Mrs. LOWEY.

H.R. 1707: Mr. BROWN of South Carolina.

H.R. 1708: Mr. MCCAUL of Texas, Mr. DUNCAN, and Mr. FOLEY.

H.R. 1742: Mr. WAXMAN.

H.R. 1767: Mrs. NAPOLITANO.

H.R. 1791: Mr. GERLACH.

H.R. 1849: Mr. PRICE of North Carolina.

H.R. 1898: Mr. SWEENEY.

H.R. 1902: Mrs. CHRISTENSEN and Mr. AL GREEN of Texas.

H.R. 1951: Mr. GUTIERREZ and Mr. CRAMER.

H.R. 1993: Mr. SHERMAN.

H.R. 2017: Mr. CONYERS, Mr. MENENDEZ, and Mr. MCCOTTER.

H.R. 2206: Mr. MCDERMOTT.

H.R. 2231: Mr. WEXLER, Mr. HASTINGS of Florida, Mr. CALVERT, Mrs. KELLY, Mrs. BLACKBURN, Mr. CARDIN, Mr. RAMSTAD, Mr. YOUNG of Alaska, Ms. WOOLSEY, Mr. BOUSTANY, Mr. PAYNE, Mr. GUTKNECHT, Mr. BARROW, Mr. DUNCAN, Mr. KUHL of New York, and Mr. LARSEN of Washington.

H.R. 2248: Ms. SCHAKOWSKY.

H.R. 2340: Ms. SCHAKOWSKY.

H.R. 2355: Mr. TOWNS and Mrs. BONO.

H.R. 2356: Mr. SAXTON, Mr. MOLLOHAN, Mr. HASTINGS of Washington, Ms. HERSETH, Mr. INSLEE, Mr. BOUSTANY, Mr. BARROW, Mr. MURPY, and Mr. CUMMINGS.

H. R. 2526: Mr. ANDREWS and Mr. CUMMINGS.

H. R. 2588: Mr. GERLACH.

H. R. 2620: Mr. HASTINGS of Florida and Mr. AL GREEN of Texas.

H. R. 2646: Mr. CANNON, Mr. HINOJOSA, and Mr. CARDIN.

H. R. 2648: Mr. HERGER.

H. R. 2671: Ms. KAPTUR, Mr. HINCHEY, Mr. PAYNE, Mrs. CHRISTENSEN, and Mr. WAXMAN.

H. R. 2680: Ms. JACKSON-LEE of Texas, Ms. SCHAKOWSKY, and Ms. BORDALLO.

H. R. 2735: Mr. LOBIONDO.

H. R. 2792: Ms. JACKSON-LEE of Texas.

H. R. 2794: Mr. MILLER of Florida and Mr. AL GREEN OF TEXAS.

H. R. 2803: Mr. FITZPATRICK of Pennsylvania and Mr. CALVERT.

H. R. 2807: Mr. BARROW.

H. R. 2869: Mr. PRICE of North Carolina.

H. R. 2870: Ms. SCHWARTZ of Pennsylvania.

H. R. 2874: Ms. SCHAKOWSKY, and Mrs. CHRISTENSEN.

H. R. 2877: Ms. JACKSON-LEE of Texas and Mr. HINCHEY.

H. R: 2925: Mr. GONZALEZ.

H. R. 2930: Mr. CONYERS, Mr. HASTINGS of Florida, Mrs. MILLER of Michigan, Mr. MCNULTY, Mr. NADLER, Mr. DEFAZIO, Ms. MCCOLLUM of Minnesota, and Mr. GUTIERREZ.

H. R. 2943: Mr. FORD.

H. R. 2957: Mr. MCDERMOTT and Mr. HONDA.

H. R. 2981: Mr. UDALL of Colorado and Mr. MICHAUD.

H. R. 3000: Mr. KUCINICH, Mr. CONYERS, Mrs. CHRISTENSEN, Mr. PAYNE, Mr. OWENS, and Mr. JACKSON of Illinois.

H. R. 3046: Mr. STARK, Ms. BORDALLO, and Ms. WASSERMAN SCHULTZ.

H. R. 3064: Ms. JACKSON-LEE of Texas.

H. J. Res. 3: Mr. WAMP.

H. J. Res. 53: Mr. NORWOOD.

H. Con. Res. 123: Mrs. LOWEY.

H. Con. Res. 154: Mr. WELDON of Florida.

H. Con. Res. 175: Mr. ACKERMAN, Mr. FALEOMAVAEGA, Mr. BROWN of Ohio, Mr. ENGEL, Mr. DELAHUNT, Mr. MCCOTTER, Ms. WATSON, Mrs. NAPOLITANO, Mr. CONYERS, Mr. MCNULTY, Mr. MCDERMOTT, Mr. CROWLEY, Mr. MEEK of Florida, Ms. CARSON, Mr. THOMPSON of Mississippi, Mr. SERRANO, Mr. OWENS, Ms. SCHALKOWSKY, Mr. FRANK of Massachusetts, Ms. MOORE of Wisconsin, Ms. JACKSON-LEE of Texas, Mr. MORAN of Virginia, Ms. MCKINNEY, Mrs. CHRISTENSEN, Mr. WYNN, Mr. LEWIS of Georgia, Ms. VELÁZQUEZ, Mr. TOWNS, Mr. CUMMINGS, Mr. CLEAVER, Mr. BISHOP of Georgia, and Mr. RUSH.

H. Con. Res. 181: Ms. JACKSON-LEE of Texas.

H. Con. Res. 187: Mr. ENGEL, Mr. CROWLEY, Mr. PAYNE, Mr. BURTON of Indiana, Mr. BLUMENAUER, and Ms. WATSON.

H. Res. 146: Mr. BARRETT of South Carolina.

H. Res. 317: Mr. WOLF, Mr. DAVIS of Illinois, Mr. UDALL of Colorado, and Mr. WEXLER.

H. Res. 325: Mr. GALLEGLY.

H. Res 332: Mr. ISRAEL, Mr. ORTIZ, Mrs. NAPOLITANO, Mrs. DAVIS of California, Mr. FOLEY, Mr. FARR, and Mr. MCINTYRE.

H. Res. 338: Ms. SLAUGHTER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCDERMOTT, and Ms. HERSETH.

H. Res. 340: Mr. MCHENRY, Mr. ADERHOLT, and Mr. SESSIONS.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 3057

OFFERED BY: MR. SIMPSON

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

PROHIBITION ON USE OF FUNDS BY THE EXPORT-IMPORT BANK TO SUPPORT EXPORTS TO THE PEOPLE'S REPUBLIC OF CHINA

SEC. 601. None of the funds made available in this Act may be used by the Export-Import Bank of the United States to guarantee, insure, extend credit, or participate in the extension of credit in connection with the purchase or lease of any product by—

(1) the People's Republic of China or any agency or national thereof; or

(2) any other foreign country, or agency or national thereof, if the product to be purchased or leased by such other country, agency, or national is, to the knowledge of the Export-Import Bank of the United States, principally for use in, or sale or lease to, the People's Republic of China.

H.R. 3057

OFFERED BY: MR. BONILLA

AMENDMENT NO. 2: Page 4, line 9, before the period insert the following:

'': *Provided further*, That, of the amounts provided under this heading, $7,000,000 shall not be available for obligation until the head of the Office of Inspector General in the Export-Import Bank of the United States is appointed and confirmed pursuant to section 3 of the Inspector General Act of 1978''.

H.R. 3057

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 3: Page 132, after line 13, insert the following:

LIMITATION ON INTERNATIONAL MILITARY EDUCATION AND TRAINING ASSISTANCE FOR GUATEMALA

SEC. ____. None of the funds made available in this Act under the heading ''INTERNATIONAL MILITARY EDUCATION AND TRAINING'' may be used to provide assistance for Guatemala.

H.R. 3057

OFFERED BY: MR. ROYCE

AMENDMENT NO. 4: Page 34, line 18, after the dollar amount, insert the following: ''(increased by $7,000,000) (reduced by $7,000,000)''.

H.R. 3057

OFFERED BY: MR. GARRETT OF NEW JERSEY

AMENDMENT NO. 5: Page 132, after line 13, insert the following:

LIMITATION ON FUNDS RELATING TO ATTENDANCE OF FEDERAL EMPLOYEES AT CONFERENCES OCCURRING OUTSIDE THE UNITED STATES

SEC. ____. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 Federal employees at any single conference occurring outside the United States.

H.R. 3057

OFFERED BY: MR. MCGOVERN

AMENDMENT NO. 6: Page 31, line 7, after the dollar amount, insert the following: ''(reduced by $100,000,000)''.

H.R. 3058

OFFERED BY: MR. GINGREY

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

SEC. 948. None of the funds made available in this Act may be used to provide assistance under the community development block grant program under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) for any private economic development project (including assistance for any project under paragraph (17) of section 105(a) of such Act) involving the obtaining of property by the exercise of the power of eminent domain.

H.R. 3058

OFFERED BY: MR. GINGREY

AMENDMENT NO. 2: At the end of the bill (before the short title), insert the following:

SEC. 948. None of the funds made available in this Act for the community development block grant program under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) may be used to provide assistance under paragraph (17) of section 105(a) of such Act for any economic development project involving the obtaining of property by the exercise of the power of eminent domain.

H.R. 3058

OFFERED BY: MR. AL GREEN OF TEXAS

AMENDMENT NO. 3: Page 91, line 8, after the dollar amount, insert the following: ''(increased by $7,700,000)''.

Page 91, line 9, after the dollar amount, insert the following: ''(increased by $3,900,000)''.

Page 92, line 23, after the first dollar amount, insert the following: ''(reduced by $7,700,000)''.

United States of America

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PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

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Senate

The Senate met at 1 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our help and shelter, we look to You for defense. Defend us from temptation. Help us to say no to tempting voices and the things that lead to ruin as You teach us to follow Your blueprint for abundant living. Defend us from arrogance as You help us to esteem others as significant because we can see Your image in them. Defend us from ingratitude in the day of prosperity.

Today, defend our lawmakers from discouragement so that they will persevere in well-doing, with the knowledge that the harvest, though delayed, is not denied. Help them to remember that no time exists when You will fail them, and no moment comes when You will forsake them.

Lord, defend each of us from a stubbornness that refuses to be guided by Your light and sustained by Your grace.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until 3 p.m., with the first half of the time under the control of the majority leader or his designee and the second half of the time under the control of the Democratic leader or his designee.

The Senator from Kentucky is recognized.

SCHEDULE

Mr. BUNNING. Mr. President, today the Senate will conduct a period of morning business until 3 p.m., with the first hour under the control of the majority and the second under the control of the Democratic leader or his designee. Following morning business, the Senate will resume consideration of the Interior appropriations bill. Under a previous agreement, all amendments to the bill must be offered during today's session. The majority leader announced on Friday that there will be no rollcall votes today, but Senators who have amendments to the bill should make themselves available to offer and debate their amendments.

I also remind my colleagues that the next vote will occur tomorrow morning, shortly before 10 a.m. That vote will be on the passage of H.R. 6, the Energy bill. Following disposition of the Energy bill, the Senate will resume consideration of the Interior appropriations bill, and we will vote on previously offered amendments to the Interior appropriations bill tomorrow.

In addition to the vote on passage of the Energy bill and completing work on the Interior appropriations bill, the Senate will act on any additional appropriations measures, including the Homeland Security appropriations bill and other legislative or executive items. This is the last week of the session before the July 4 recess and Senators should expect a busy week with votes throughout.

GUANTANAMO BAY

Mr. BUNNING. Mr. President, today I rise to speak about our operation at Guantanamo Bay, in Cuba. There is so much information out there that is untrue, it must be corrected. Yesterday, I went to Guantanamo Bay with my colleagues, Senator CRAPO and Senator ISAKSON. We went to see for ourselves what all the so-called fuss is about down there, and we want to help set the record straight.

While we were there we also saw Senator WYDEN and Senator BEN NELSON. I am sure they will tell you what they saw when they come to speak on the Senate floor.

Our soldiers assigned in Cuba are on an island within an island. The base is isolated from the rest of Cuba, and it is isolated from the rest of our military. Our troops do not just drive off post to go watch a movie or to go to the mall. All they have is on post, from shopping to entertainment to food.

Many serving at Guantanamo leave their families behind. Some are National Guard troops, far away from home. It is a tough life, and they have a job that is mentally and physically challenging.

As we toured the detention camps, our troops patrolled the buildings and open areas in full uniform. In the afternoon, the temperatures reached into the high 80s, and the humidity could not have gotten much worse. But those brave young men and women stood guard over the detainees to keep them in line and protect them from other detainees.

Probably the weather and the Sun are the last things our troops are worried about. The people they are guarding are the terrorists. They are the worst of the worst. They are all dangerous. Many directly fought Americans on the battlefield, killing and wounding our soldiers, yet our young men and women watch over these terrorists and provide for them. They do this despite the terrorists having taken

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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up arms against fellow American servicemembers. The danger the terrorists pose to our military in Guantanamo is real and enduring.

While we were inspecting one of the detention facilities, the halls were filled with sounds of detainees beating on metal doors of their cells and yelling at anyone who could hear. Weapons have been found in the detainees' cells and are often made from ordinary items they are provided.

Our troops on the ground in Guantanamo are putting their lives on the line to protect and provide for terrorists. Yet some of my colleagues and others, commentators, suggest that these brave young men and women are the criminals, and when they make such outrageous statements, there are many in the media willing to repeat the accusation without bothering to check the facts for themselves.

For example, almost any picture seen of detainees at Guantanamo is from Camp X-Ray. Everyone is familiar with those pictures. They are the ones with men in orange suits, living in open-air cells made of chain-link fences.

I went to Camp X–Ray. Do you know what I saw? I saw weeds several feet high and plants growing all over the fencing. Do you know what I did not see? People. Camp X-Ray has been closed since 2002. It is no longer used at all. But those images are the ones that continue to appear in print and on the news. It is no secret that Camp X–Ray is closed, but pictures of the new and improved facilities are never shown.

I wish to talk about these new facilities. They have come a long way from concrete slabs surrounded by chain-link fencing. I cannot say I felt bad for any terrorist who had to spend the night in Camp X–Ray, but the new camps are significantly better. They offer the terrorists more privacy, space, and protection from the weather. They offer the terrorists areas for recreation. Some even have air-conditioning and semiprivate showers.

The newest facility is modeled after the state-of-the-art prisons in the United States and is fully air-conditioned. New furniture is on the way, and an even newer facility is about to be built. But I have not seen any of those camps I just described on the news, and I am hopeful that those in the media will help clear up this issue.

But the real issue that goes to the heart of this debate is, Are we serious about fighting terrorism or not? If we are, then these new detention facilities at Guantanamo will remain open until no more terrorists are plotting to harm innocent Americans. What goes on there is critical to our fight against terrorism and the war on terrorism. First and simplest, if the terrorists are locked up in Cuba, then they cannot kill Americans in Iraq or New York, in Afghanistan or even in Kentucky. Those being held at Guantanamo are the worst of the worst terrorists we have captured. The military has decided that they are so dangerous that they must be moved halfway around the world to keep them away from the battlefield. That is reason enough to keep Guantanamo open.

There are bomb makers who are no longer making bombs because they are in Cuba. Terrorist training camp instructors are no longer teaching classes because they are being held next to a Caribbean beach. Others at Guantanamo were caught with heavy weapons, explosives, or anti-aircraft missiles, but they will not get to use those weapons to kill Americans because we are holding them in the detention facilities. One person being held there very well may be the intended 20th hijacker for September 11, but because he is locked in a cell in Cuba, he will not be able to fly a plane into a building anytime soon.

I could describe many individuals held at Guantanamo and give reasons they need to remain in our custody, but I only will mention a few more—12, to be exact. That is the number of those we know who have been released from Guantanamo and returned to fight against the coalition troops. Some have been killed and some have been recaptured. But we must not miss the lesson that we are dealing with dangerous people who will stop at nothing to kill innocent Americans.

But there is more to Guantanamo than locking up terrorists. As important as keeping the terrorists from carrying out their evil plans, we are gaining valuable information from the detainees. Those terrorists are one of our greatest sources of information into terrorist operations, financing, and personnel. Some of them were very close to Osama bin Laden at one time. Others were active in planning terrorist attacks. Still others worked on finance and personnel recruitment for terrorist groups. Think of the wealth of information they have.

The detainees can identify people involved in terrorist groups. They have helped us better understand the structure of terrorist organizations. They know locations and transportation routes. They can validate information gathered on the battlefield. To this day, they continue to provide us with critical information in our fight against terrorism.

We are not gathering information from them in any inhuman way. I saw several interrogations. None of the terrorists were being beaten. There was no torture, and they were not being starved. Throughout the entire detention camp, terrorists were given clothes and bedding. They are given Muslim prayer rugs and Korans. There are arrows everywhere pointing to Mecca. We even witnessed a prayer call announcing to the terrorists that it was time for them to turn to Mecca and pray.

That, Mr. President, is a far cry from the repressive regimes to which critics of Guantanamo have compared our military. Did the Nazis respect the Jewish faith? Did Stalin and Pol Pot practice religious tolerance? Absolutely not.

The detainees are being fed well. In fact, their meals often cost more than the meals served to our troops because of their cultural dietary restrictions. When Hitler imprisoned Jews, he did not go to lengths to prepare them kosher meals that followed their faith.

The military has constructed a hospital for the detainees. While we were there, we saw a detainee being transported to the hospital for an examination. When needed, the terrorists have access to other doctors and medical facilities. If a specialist is needed, then one is brought in. In other words, we give the terrorists the same medical care our troops get.

Many get dental care and glasses for the first time in their lives. Others have been diagnosed with diseases and other medical issues and have received treatment. We have even given amputees new medical limbs.

Again, I ask my colleagues, did Hitler and Pol Pot provide dental care to their prisoners before they killed them?

And the terrorists are not being held without a review process. Each person brought to Guantanamo is reviewed to make sure they really are an enemy combatant. They are also periodically reviewed to make sure they still need to be held at Guantanamo or if they should be moved elsewhere or even released.

The detainees are given a chance to explain their side of the story. International law does not require these combatants be given a review board. Our military is going out of its way to give these terrorists rights above and beyond the evil regimes the war's critics have cited. After all, there were not review boards in the gulags or the concentration camps. The Nazis did not care if their prisoners had taken up arms against Germany. They locked them up into slavery anyway.

Anyone who compares our operations at Guantanamo to those ruthless killers is lying to the public and insulting our troops. No detainees at Guantanamo have died due to their treatment by our troops—none, zero.

Hitler murdered 6 million Jews and caused the death of tens of millions more on the battlefield. Stalin had tens of millions killed. Pol Pot was responsible for the death of about 1 million in his ''killing fields.''

Of course, the detainees are not living in luxury. But these are dangerous killers we are talking about. They are terrorists. But we treat them with respect, which is much more than they have ever treated us with.

Conditions improve every day at Guantanamo. But as long as they are dangerous to America, we must continue to hold them and gather information. We have a determined enemy that wants to do nothing but harm us. The only way to beat them is to stand strong, fight longer, and not back down.

What we are doing at Guantanamo is a key part of our fight. These terrorists cannot hurt us as long as they are locked up. They will continue to provide us with valuable intelligence, and we continue to treat them with the dignity they refuse to show us.

Finally, Mr. President, I want to say thank you to all the brave men and women working for our freedom at Guantanamo and throughout the world. I am always impressed with the fine young Americans in our military. And seeing them yesterday was no exception. I had the privilege of meeting a few soldiers from Kentucky while at Guantanamo Bay. I cannot say their names due to the security reasons we have and to ensure their future safety. They, and others, are serving our country with honor. I thank them and their families for their sacrifices.

Mr. President, it was an unbelievable experience yesterday in Cuba at Guantanamo Bay, one I will remember for the rest of my life.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Idaho is recognized.

Mr. CRAPO. Thank you very much, Mr. President.

Mr. President, I stand and join my colleague, Senator BUNNING from Kentucky. I was one of those who was able to be on this trip to Guantanamo yesterday. Along with Senator ISAKSON from Georgia, we were joined there by two other Senators, Senator WYDEN from Oregon and also Senator NELSON from Nebraska, who came in on a separate trip.

We had an opportunity to view exactly what is happening at Guantanamo. As I said, I am glad to be able to stand with my colleague, Senator BUNNING, and set the record straight about what the United States and the honorable men and women of our armed services are doing to serve the United States, the people of this country, and, frankly, the people of the world as we fight to defeat terrorism.

I want to first thank my colleague, Senator BUNNING, who has given a very thorough and helpful review. I will try not to repeat too many of the things he went through, but he has identified the core points that need to be made as we discuss what is truly happening at Guantanamo.

I want to start out by going into a little bit of detail about who exactly is there. Secondly, I want to talk a little bit about the legal framework because, frankly, a lot of the debate we hear throughout the country and throughout the world today has to do with different points of view about the legal framework within which we are dealing with the circumstances at Guantanamo.

Then I want to talk about the question of transparency; in other words, do we really know what is happening there? I know there are a lot of people who will say: You went there and you visited, but did you really see the truth? I want to talk about that. I also want to talk about what we saw—how are the detainees being treated.

Finally, I want to talk about our own troops. What is their morale? And what is their conduct? And then, actually, the last thing I want to talk about is: Of what benefit to the United States and the world is Guantanamo?

I am going to go back now and talk, first of all, about who is there. I think there has been a bit of a misconception about who it is we are detaining at Guantanamo.

Since the effort began in defeating the Taliban in Afghanistan—and it has expanded to the war in Iraq—the United States has captured more than 70,000 detainees—70,000—in the conduct of the war in Afghanistan and Iraq. Among that number, the vast majority have been handled in other ways. Either they have been released or they have been turned over to other authorities, other nations, or they are being held in facilities in the area of the battle. But we are working with Iraq, Afghanistan, and other governments to make sure they take control of detainees to the maximum extent possible.

But there are some detainees who are so dangerous that we have made the decision we must maintain control over them. They are also controlled because they have information that is critical to us in the battle against terrorism. And after a very thorough vetting process, out of 70,000 who have been captured in these battles and in other efforts to fight against terrorism, approximately 800 have been moved to Guantanamo.

My numbers are going to be kind of rounded here, but of that 800, about 235 have already been released or moved into the custody of other countries. My colleague, Senator BUNNING, indicated that is not always good news. At least 12 of those who have been released have been found again in the battlefield—some of them killed in battle, others captured again, and at least one was found to have ordered some very significant terrorist activities after being released from Guantanamo.

But about 235 of the 800 who we determined were so dangerous they needed to be moved to Guantanamo have been released or put into the custody of other countries. Approximately 520 remain at Guantanamo. Who are these 520? These are terrorist trainers. These are bomb makers. These are recruiters and facilitators for al-Qaida and other terrorist groups. These are terrorist financiers. These are bodyguards of Osama bin Laden. And these are would-be suicide bombers—to name just a few of those who we have identified and the activities we are stopping by keeping them detained.

I am going to come back a little bit later and talk about what we learn from these detainees. But I would like to talk, next, a little bit about some of the details of individuals whom we have identified. An elaborate process has been put into place, as I indicated, to identify whom we will return and take to Guantanamo to assess the threat they pose to the United States and the international community, and then to give regular review to this process to be sure they are still the threat that they were and deserve to be kept at the Guantanamo base.

But as a result of this effort, we have collected the most dangerous, and the ones with the most information who can give us the most assistance, through the interrogation process, to help us pursue the war against terrorism.

These detainees include terrorists who are linked to a major al-Qaida attack, including attacks in east Africa, the U.S. Embassy bombings, and the USS Cole attack; terrorists who taught or received training teams on arms, explosives, surveillance, and interrogation resistance at al-Qaida camps in Afghanistan and elsewhere; terrorists who continue to express their commitment to kill Americans, if released; terrorists who have sworn personal allegiance to Osama bin Laden; terrorists who have been linked to several al-Qaida operational plans, including possible targeting of facilities in the United States; members of al-Qaida's international terrorism support network including the financiers, the couriers, the recruiters, and the operatives and those who participated in attempted hijacking instances.

Let me give a couple specific examples. One al-Qaida explosives trainer is there who has provided information to the United States on the September 2001 assassination of Massoud and on the al-Qaida organization's use of mines; another individual who completed advanced terrorist training at camps in Afghanistan and participated in an attempted hijacking and escaped while in custody that resulted in the deaths of Pakistani guards; another individual who was involved in terrorist financing who provided information on Osama bin Laden's front companies, accounts, and international money movements for financing terror. The list goes on and on. This is who is there at Guantanamo. These are the people whom we seek to detain and about whom the debate in this country revolves. They are dangerous, and they must be kept under control or they will kill more Americans and threaten people throughout the world.

What is the legal framework within which they are being detained? That is the crux, though it is not often stated that way, of the debate. I will get into this in more detail, but Senator BUNNING has already indicated, the treatment that is being provided to the detainees is probably the most humane, high quality treatment any nation that has ever captured detainees at war has ever provided to its prisoners. I suspect no other nation today or throughout history could claim to be treating its detainees better. But still the question arises, how and under what legal framework should they be handled? There is an irony here. These

detainees do not serve in a normal army. They do not wear uniforms. They do not serve a nation that is a signer to the Geneva Conventions. They do not honor Geneva Conventions, meaning they do not refrain from attacking civilians and conducting terrorist activities. And because they do not qualify in these categories, they don't qualify under the Geneva Conventions as prisoners of war.

Here is the irony. If they were prisoners of war, they wouldn't be entitled to the legal benefits about which we are now wrangling. They would be entitled to humane treatment, but they would not be entitled to get into the court system of the country that has captured them.

Many throughout this Nation and throughout the world are saying we should provide all of the legal benefits in a criminal law system, such as the criminal justice system in the United States, to these detainees. The United States has declined to do so, stating that these are enemy combatants under the Geneva Conventions. But they are not prisoners of war under the Geneva Conventions. And there is the irony. If we could classify them as prisoners of war under the Geneva Conventions, we could avoid the debate about what their rights are and how they should be treated. Instead, since they are not a group entitled to participate in the United States criminal justice system and are not a group entitled to be considered prisoners of war under the Geneva Conventions, but are instead enemy combatants under the Geneva Conventions in a category for which nations have not yet agreed on how they should be treated, the United States is embroiled in a debate as to how to treat them.

How have we resolved this decision? On January 19, 2002, the Secretary of Defense gave specific guidance that all detainees are to be treated humanely. On January 21, the same year, the chairman of the Joint Chiefs of Staff issued executive orders to commanders that transmitted the Secretary of Defense order that these detainees be treated humanely. On February 7, 2002, President Bush determined that al-Qaida and Taliban detainees should be treated humanely, consistent with the principles of the Geneva Conventions and consistent with military necessity. The detention of enemy combatants in wartime is not an act of punishment. It is a matter of security and military necessity. It prevents enemy combatants from continuing to fight against the United States or its partners in the war on terror. Releasing enemy combatants before the end of hostilities and allowing them to rejoin the fight would only prolong the conflict and endanger our coalition and American forces.

Here is the point of the debate. The United States, though these enemy combatants are in an uncertain category, has provided to them all of the humane treatment required by the Geneva Convention and more legal rights than they would have if they were prisoners of war. Yet the United States continues to be criticized because there are those—and this is what everyone needs to understand—who will not be satisfied until we choose not to treat these enemy combatants in the context of a war but instead choose to treat them as criminals in a criminal justice system and thereby change the legal framework under which they are being handled. The United States correctly and properly refuses to do so. If we were to do so, we would not be able to defend the interests of the country against enemies who are conducting war against us as effectively as we can if we are able to treat them under the Geneva Conventions as enemy combatants. And when you hear the debate about how they are being treated, listen carefully, because most of the debate is not about their physical condition or whether they are being treated humanely. It is about how they are being categorized with regard to these legal battles that those who are engaged in the issue wish to see ensue.

Let's talk about what we saw, and then I will describe how they are actually physically being treated and whether what we saw is true. I have already had those who knew that I went there ask me whether the opportunity we had is one which truly showed us what was happening at Guantanamo. To me this is an issue of transparency. What is happening there, and were we shown what was truly going on?

First, we visited every facility there. Five Senators, with many other individuals with us from other government agencies, went through and visited every facility. My colleague Senator BUNNING indicated that we even went to Camp X-Ray which has not been utilized for 2 or 3 years and which is literally overgrown. I walked into one of the containment facilities there at Camp X-Ray. I had to brush away the weeds in order to move through the door and to go in and see what it looked like. We visited Camps 1, 2, 3, and 4. And they are numbered in terms of the order in which they were built. These are the newer camps that were constructed to provide better facilities for these detainees than were originally there at Camp X-Ray when we first started using the base. We were able to see the medical facilities. We were able to observe literally everything at the base. And I can say that I don't think it would have been possible for them to have hidden from us what was happening.

We were able to observe the interrogations, to interview and discuss with the personnel present what was happening, right down to the troops who were conducting the specific guarding activities inside the cell blocks. If that is not sufficient, the International Committee of the Red Cross has had 24-hour-a-day, 7-day-a-week access to the facility at its discretion. They have had a permanent presence, recently changing that only at their choosing. The media, both national and international, have had 400 visits to Guantanamo, representing over 1,000 members of the media who have been there to also observe. Lawyers for the detainees, who would not even be allowed if we categorized them as prisoners of war, have come and, in many of the habeas corpus cases, to observe and discuss with the detainees. And somewhere in the neighborhood of 15 to 20 Senators and 75 to 100 Representatives, in addition to over 100 congressional staff, have been there to observe.

My point is that in terms of transparency, is the United States letting its own people, its Congress, and the world know what is being done there? I believe the answer is clearly yes.

My colleague Senator BUNNING went through the numbers of deaths in the Nazi concentration camps, in the gulags under Stalin, and the numbers, you will recall, were in the millions. Not one detainee has died at Guantanamo. On the contrary, they have the best medical care that I believe any detainees in history have ever had. So as far as the question goes with regard to whether we are providing a true and accurate picture to the public about what is happening there, the answer is unequivocally yes.

What is happening there? I would like to talk a little bit about what we saw. As I indicated, there are a number of facilities. They are called Camp 1, 2, 3, and 4. They are building Camp 5 and Camp 6. They are different in terms of the levels of security and in terms of the operations. Those who are detained there are able to be in one of the camps versus the other camps depending on how they respond to their detention. If they are the more violent kind who do not follow instructions, then they are often in individual confinement. This individual confinement does not mean solitary confinement. It means they would be in a cell block with 40 or 50 others, and you can see each other through the cell. These are not enclosed. So they have the ability to play chess between cells and so forth. They have running water, sinks, and toilets in each cell.

They have religious paraphernalia so they can practice their religion. They are facilitated in the practice of that religion by being provided with prayer calls and with directions. From wherever in the camp you are, you can see an arrow that points toward Mecca so you know the directions. They are provided recreational opportunities, showers, and three, good, solid meals a day, as well as outstanding medical care. Those are the ones who are in the most closely confined circumstances. Those who are more willing to follow instructions and less willing to attack their guards are allowed to live in more communal circumstances where the rooms, instead of being individual cell units, are in units where ten or more can live together, and then those groups can go out in recreational facilities and have

a little bit expanded recreational opportunity and the like.

Then there is the maximum security facilities which would be comparable to the kinds of similar facilities that are there that you could find anywhere in the United States, in prison facilities that are subject to extensive litigation and oversight by attorneys and our own judicial system. Throughout this entire process, whether one is in the most extreme, highest maximum security circumstance or whether one is in some of those areas where the more responsible detainees are able to be, they are always provided with the best possible treatment. I don't believe it would be possible for a valid argument of some type of physical abuse to be made because there is such care there to be certain that even when the detainees are being interrogated—and, by the way, the interrogation is a very humane and, frankly, easygoing process which does not create physical threat to the detainees—there are always more than one or two or three people observing what is happening so there cannot be a circumstance where something goes awry and someone abuses the relationship and the situation.

Let me talk a little bit about the medical care. I said they are getting top-notch medical care. I asked many of those who we were there with what the comparability would be between the medical care provided to these detainees and that provided to detainees by other nations in other wars or in other circumstances. Consistently no one could give me an example of better medical care ever being provided anywhere. I asked if it was equivalent to the kind of medical care that our own troops were being provided. The answer was yes. It is probably better medical care than these detainees have ever had in their lifetime. When they were first brought there, many of them had traumatic injuries from the battles in which they were captured. Those injuries were treated. Now they have reached a point that they have been there several years, some of them, where they are being treated for the kinds of problems you and I and others would want to have medical care for. They are getting annual checkups. They are being treated for diabetes, if they have back ailments or heart problems, whatever it may be, if they have dietary needs, they are being treated for them.

A number of them have lost their limbs, not because they lost them in battle but because they lost them while they were building bombs to blow up Americans. And we have provided treatment for their loss of limbs and actually provided them with prosthetics and helped them with the physical therapy so they can regain the use of their bodies to the maximum extent we can help them. We have facilities there to do major surgery. We have all kinds of other support. If they have medical needs that go beyond what we have there available, they are taken elsewhere to get that medical treatment.

In fact, I would like to move now to the discussion of what the morale of our troops is. I think as we met there with people at all levels, from the guards to those who ran the hospitals to the managers to everyone else, I could honestly say the morale of our troops there is very high. But there is a concern that was consistently expressed to me by them. I had the opportunity to have lunch with some of those who were literally on the front lines having to go into the cell blocks and to provide the guard service around the clock with these detainees.

And they are concerned about what the American people and the international public think about them and about what they are doing because they believe they are treating these detainees with the highest respect and with the most humane treatment possible. They are overseeing it rigorously. If any of them steps out of line, they get handled and they get in trouble. Yet they are subjected constantly to threats and harassment and abuse from the detainees.

It is my perspective that if anyone is being abused at Guantanamo, it is not the detainees, it is the good young men and women guards who are there on the front line, who are themselves physically threatened, verbally threatened, and in other ways abused. It has been reported what kinds of things are thrown at them through the cell blocks as they walk through. When they happen to go through and a detainee throws urine or feces on them, they have to go out, be hosed off, and go back into duty. If anyone is being abused at Guantanamo, it is the treatment that is being afforded to our men and women of the military that is causing the abuse to them, rather than the reverse.

For those here in this body or anywhere else to accuse our men and women of mistreating those at Guantanamo is a great irony because any abuse or mistreatment that is happening is the reverse.

I am proud of our men and women there. They are truly doing a great service for this country and for this world. Let me conclude by talking a little bit about what that is.

By the way, I forgot one piece of information. I have talked about the medical facilities and other kinds of support that have been provided to these detainees to make sure they are being properly cared for. In the newest facilities, the prisoners even get air conditioning, which is not something most of the troops get, at least during their working hours. But what does that cost us? What kind of investment has the United States made? To this point, the United States has spent over $241 million in providing these medical facilities, these containment and detention facilities, and for the care and treatment and feeding of these detainees. The annual cost will go on probably at $100 million a year, until we are able to resolve this conflict. The United States has also spent over $140 million in existing or new detention facilities in Afghanistan and Iraq. So we are putting a tremendous amount in here.

What benefit does it provide to us? As I indicated, the purpose of this detention, to me, is twofold. First of all, it is to stop dangerous terrorists from being put back into the field so they can go back out and continue to kill Americans and others and train and facilitate other terrorists in doing the same thing. The first thing is to stop them from committing terrorist activity. The second purpose is to be able to gain from them information that will help us better pursue or fight against terrorists around the world. The question of Guantanamo detainees, which I will again state is not the kind of interrogation that one thinks of when they think of a gulag, or what you might see on TV as a threatening interrogation. This is entirely nonthreatening interrogation. It has improved the security of our Nation and coalition partners by helping us to expand our understanding of the operations of the terrorists. It has given us an expanded understanding of the organizational structure of al-Qaida and other terrorist groups. It has given us more knowledge of the extent of the terrorist presence in Europe, the United States, and the Middle East. It has given us knowledge of al-Qaida's pursuit of weapons of mass destruction, of methods of recruitment and location of recruitment centers, terrorist skill sets, general and specialized operative training, and of how legitimate financial activities are being used to hide terrorist operations.

The intelligence we are gaining by the interrogations of those who are kept at Guantanamo has prevented terrorist attacks and has saved American lives. Not only has no one died at Guantanamo, not only has the highest health care possible been provided to them, but lives have been saved as a result of our activities there. Detainees have revealed al-Qaida leadership structures and operating funding mechanisms, training and selection programs, travel patterns, support infrastructure, and plans for attacking the United Sates and other countries. Information has been used by our forces on the battlefield to identify significant military and tribal leaders who are engaged in or supporting attacks on coalition forces. Detainees have continuously provided information that confirms other reporting regarding the roles and intentions of al-Qaida and other terrorist operatives.

I could get into details, but I will not do that publicly. The fact is, we are getting extensive, detailed information from the terrorists who are kept at Guantanamo, which is saving American lives and helping us to protect our young men and women in the military and people in other nations.

I want to conclude my remarks by coming back to the beginning. There has been a lot of debate about what is going on at Guantanamo. What is the United States doing? Why is it doing it? Is the United States creating some type of a new detention circumstance in modern warfare, which parallels some of the most terrible examples that our critics have been able to throw up at us? I went down there wanting to know and wanting to see and to be able to report back to the American people about what truly is happening.

What I found was that the U.S. men and women of our Armed Forces are committed, honorable, loyal, duty-bound members of the American military who are following the orders of their Commander in Chief to the letter, following the Geneva Conventions, and providing beyond what the Geneva Conventions even requires in terms of protection to these detainees, in a service to America and to the world. I found a circumstance where I don't believe a valid argument can be made that there is any nonhumane treatment of these detainees. I found a circumstance in which it appears to me that what is being portrayed by some is simply manufactured out of whole cloth in order to perpetuate a broader debate against the United States and our interests.

I also became convinced that, far beyond being simply a detention facility, Guantanamo is one of the key strategic interrogation facilities necessary for the United States in pursuit of the war against terror in this world. As we have said in both of our remarks, Guantanamo is where the worst of the worst are taken. They are taken there to be protected so that we can be protected from them and so that we can gain information from them that will help us better protect ourselves as we continue to fight to defend against the likes of Osama bin Laden.

I also stand here to commend the young men and women of our fighting forces—not just those who at Guantanamo are suffering the abuse of the detainees and the extremes of the weather and the living circumstances there to defend us, but those who serve throughout this world, whether it be in Iraq or Afghanistan or any of the other points of conflict or in any other of the stations around this world, where we have men and women deployed to defend our interests.

The United States is at war against terrorists and we must acknowledge that. The efforts of the men and women in our military should be commended, not discredited. I stand as one Senator to thank the men and women of our Armed Forces for the tremendous job they do. They put their lives on the line daily for us and they should be given our thanks, not our criticism.

With that, I yield back the remainder of my time.

The PRESIDENT pro tempore. The Senator from Kentucky is recognized.

Mr. BUNNING. I thank my colleague from Idaho for his great observation of our trip yesterday. I also know that Senator ISAKSON was unable to be here, but he will make a statement later this evening. I hope Senator BEN NELSON and Senator RON WYDEN will also come forward and report what they saw at Guantanamo.

I am happy to also thank, as Senator CRAPO has, all of our men and women in the military who serve our great country.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURR). Without objection, it is so ordered.

SOCIAL SECURITY PRIVATIZATION

Mr. REID. Mr. President, soon after President Bush won reelection last November, he made it clear that the top priority of his second term would be the privatization of Social Security. This is something the President had thought of long before his second term. In fact, when he ran for Congress in the late seventies from Texas, he talked then about the Social Security plan going broke and that it should be privatized. So this is something he has thought of a long time. But since he was elected the second time, he and other members of his administration have organized a massive campaign, given countless speeches, and criss-crossed the country all in an effort to sell the American people privatization.

It has been a tough sell, though. The polls show that people have accepted this whole Social Security agenda about 25 percent. When he started it was in the 70s. Now it is down to 25 percent. It has been a tough sell because the President's privatization proposal is flawed in many ways. It would require deep benefit cuts, even for workers who don't choose to privatize accounts. It would require massive borrowing from countries such as China, Saudi Arabia, where we borrow about 40 percent of the money we borrow for this year's deficit, which will be in the hundreds of billions of dollars, probably closer to half a trillion than not. It would turn Social Security from a guarantee into a gamble. And his privatized accounts would not strengthen Social Security's finances at all. In fact, it would make the long-term challenge worse, not better. The President has said the privatization plan will not stabilize Social Security.

It is important to remember that even if we do nothing, which no one here is advocating, Social Security will pay 100 percent of promised benefits until about 2055 and about 80 percent thereafter. In fact, President Bush will be about 108 years old at the time Social Security would start paying 80 percent of benefits.

While claims of a crisis are obviously false, it is also true that we face a long-term challenge, and we as Democrats need to address that, as we have said we would.

Unfortunately, the President has other ideas. His goal is not to bolster Social Security. To the contrary, he went all the way to West Virginia, arguing that the trust fund is nothing more than an accounting fiction. And you can't argue for strengthening something if you don't believe it exists.

No, the President's goal isn't to strengthen Social Security. His goal is to privatize it. Privatization, with its deep benefit cuts and massive debt, would undermine Social Security, and as a matter of principle we Democrats will never go along.

Social Security is based on the best of American values. It promises Americans if they work hard, contribute, and play by the rules, they can retire and live in dignity, and their families will be protected if they become disabled or pass away. A third of the benefits paid out by Social Security are not, as my grandmother referred to it, old-age pensions. They are for people who are disabled, widows, orphans. Social Security is not a handout. It promises benefits that people earn through their hard work. That is as it should be, and we need to do everything we can to make good on that promise.

Fortunately, the American people agree with us. Along with several of my Democratic colleagues, I have traveled the country on behalf of Social Security and against privatization. Everywhere we go, whether rural areas, suburban settings, or big cities, the response is the same: Americans don't want Social Security privatized. Middle class workers don't want their benefits cut. They don't want our Nation to get even further in debt to the Chinese and Japanese and Saudis. They don't want to adopt a risky scheme that could undermine the retirement security they have worked so hard to earn.

According to one poll, as I have mentioned, only 25 percent of Americans support the President's handling of Social Security. The opposition to privatization is as broad as it is deep. From those numbers, it is very obvious that it is not only Democrats throughout the country who oppose this, Republicans oppose it, also. Most Americans in rural areas who are especially reliant on Social Security voted for President Bush last year, but they strongly oppose his privatization plan. In fact, among those rural residents who know a great deal about the President's plan, opponents outnumber supporters by almost 40 percent.

That certainly seems to be the prevailing view among my neighbors at home in Searchlight. Whenever I am home, folks tell me the same thing:

Protect Social Security and stop privatization. It is a message my colleagues are hearing from their constituents in every part of the country.

Because of this widespread opposition, some here in Washington have apparently concluded they could not pass this proposal on the Senate floor in an open and public debate. Rather than give up on this unpopular proposal, they are, instead, adopting a stealth strategy. It has been widely reported that many in the minority party are now seeking to move a bill through the Senate without the private accounts or painful benefit cuts included in the President's plan, not because the President has abandoned privatization or benefit cuts but, instead, because they recognize this is the only means available to them to get their flawed plan adopted by Congress.

Under this bait-and-switch strategy, what the Senate says or does on private accounts or benefit cuts during its consideration of legislation would be largely irrelevant. The Senate would pass a bill lacking private accounts or significant cuts and send it to conference with the House, which would be controlled by a handful of privatization supporters. These supporters would work behind closed doors to ensure that private accounts emerge in the conference report.

We will not allow that to happen. In recent weeks, we have seen new evidence that this is, in fact, the administration's strategy. Last week, for example, bills were introduced in the Senate and the House that were advertised as establishing private accounts with no pain whatsoever. But these proposals are nothing more than political gimmicks. In truth, they still would threaten benefits, they still would require massive borrowing from foreign countries, and they would still fail, at one day, Social Security's solvency. In fact, like the President's plan, the private accounts they propose would make matters worse.

No one is going to be fooled by this type of gimmickry, and Democrats are not naive or foolish enough to fall for a bait-and-switch strategy that has been widely advertised in advance.

So I call on the President and his supporters to face reality and give up on privatization. Rather than continuing to push for this radical and ideologically driven proposal, which is a buzzword for getting rid of Social Security, I propose they listen to the words of another Republican President from 50 years ago, Dwight D. Eisenhower. This is what General Eisenhower said back then—This is not some Democratic Senator, Democratic Governor, Democratic State legislator, or Democratic Member of the Senate. This is President Eisenhower:

> Should any political party attempt to abolish Social Security, unemployment insurance, and eliminate labor laws and farm programs, you would not hear of that party again in our political history. There is a tiny splinter group, of course, that believes you can do all these things. Among them are H.L. Hunt . . . and a few other Texas oil millionaires, and an occasional politician or businessman from other areas. Their number is negligible and they are stupid.

President Eisenhower.

As I have said, I want to make sure these words are not coming from me. These are President Eisenhower's words. But if President Eisenhower's view is not persuasive to our current President, I would propose he listen to the words of another Republican President, his dad. In 1987, the first President Bush called privatization, ''nutty.'' As he said at the time: ''It may be a new idea, but it's a dumb one.''

That is what two Republican Presidents said about privatization. They are right.

So I hope we can move beyond privatization, move beyond gimmicks, move beyond the attempt to secure private accounts through a transparent strategy of bait and switch. Instead, let's agree to strengthen Social Security and to do it on a bipartisan basis. That would be the right thing to do for America's workers and our country.

Is it my understanding the distinguished Senator from Texas wants to speak in time that has been reserved to the minority?

Mr. CORNYN. That is correct. I will need about 15 minutes.

Mr. REID. I don't think we have anyone coming, so you are sure welcome to use our time.

Mr. CORNYN. I thank the distinguished Democratic leader.

The PRESIDING OFFICER. Without objection, the Senator from Texas is recognized.

(The remarks of Mr. CORNYN, relating to the introduction of S. 1313, are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.)

Mr. CORNYN. 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. BURNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

Mr. BURNS. Parliamentary inquiry, Mr. President, we are now on the Interior appropriations bill; is that correct?

DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2361, which the clerk will report.

The assistant legislative clerk read as follows:

> A bill (H.R. 2361) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

> Burns (for Voinovich) amendment No. 1010, to prohibit the use of funds to take certain land into trust without the consent of the Governor of the State in which the land is located.

AMENDMENT NO. 1022

Mr. BURNS. Mr. President, I send an amendment to the desk. First of all, it is on behalf of the majority leader and minority leader. It relates to congressional security.

This issue relates to a recent DC Board zoning adjustment granting a building height variance for a developer here in the vicinity of the Capitol.

Without going through some sensitive detail, let me simply say our two leaders have offered this amendment to prevent this variance from going into effect until the Capitol Police Board, with the consent of the Senate and House leadership, certifies that such a variance will not impact negatively on congressional security and increase Federal expenditures related to congressional security.

This amendment does not preclude development of the property, but it ensures that existing height regulations are honored and the security of the Capitol and all the people who work here is protected.

So I offer this amendment for the majority leader and minority leader.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

Mr. BURNS. Mr. President, I have a very important little conference to go to at 3:15. I see the ranking member of this committee on the floor. He did a great job on Friday, I am told, flying solo. So I am going to go to that meeting and just kind of turn the reins over to Senator DORGAN, my good friend from North Dakota.

We will start going through some amendments and start working this bill out this afternoon. It is our intention not to keep the Senate open all that long today. We will start working on those amendments as soon as possible.

The PRESIDING OFFICER. The clerk will now report the amendment.

The assistant legislative clerk read as follows:

> The Senator from Montana [Mr. BURNS] for Mr. FRIST, for himself and Mr. REID, proposes an amendment numbered 1022.

The amendment is as follows:

> At the end of title IV, insert the following:
>
> **SEC. ____. CONGRESSIONAL SECURITY RELATING TO CERTAIN REAL PROPERTY.**
>
> (a) IN GENERAL.—Except as provided under subsection (b)—
>
> (1) the District of Columbia Board of Zoning Adjustments and the District of Columbia Zoning Commission may not take any action to grant any variance relating to the property located at 51 Louisiana Avenue NW,

Square 631, Lot 17 in the District of Columbia; and

(2) if any variance described under paragraph (1) is granted before the effective date of this section, such variance shall be set aside and shall have no force or effect.

(b) CONDITIONS FOR VARIANCE.—A variance described under subsection (a) may be granted or shall be given force or effect if—

(1) the Capitol Police Board makes a determination that any such variance shall not—

(A) negatively impact congressional security; and

(B) increase Federal expenditures relating to congressional security;

(2) the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives approve such determination; and

(3) the Capitol Police Board certifies the determination in writing to the District of Columbia Board of Zoning Adjustments and the District of Columbia Zoning Commission.

(c) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act and apply to the remaining portion of the fiscal year in which enacted and each fiscal year thereafter.

Mr. DORGAN. Mr. President, is there an amendment pending that requires a vote?

Mr. BURNS. We do not know yet.

The PRESIDING OFFICER. The amendment that was offered has been set aside.

Mr. BURNS. It has been set aside.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1023

Mr. DORGAN. Mr. President, I offer an amendment on behalf of Senator BARBARA BOXER, for herself, Senator NELSON of Florida, Senators CLINTON and SCHUMER of New York, and Senator OBAMA of Illinois, and send it to the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The bill clerk read as follows:

The Senator from North Dakota [Mr. DORGAN] for Mrs. BOXER, for herself, Mr. NELSON of Florida, Mrs. CLINTON, Mr. SCHUMER, and Mr. OBAMA, proposes an amendment numbered 1023.

Mr. DORGAN. 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 prohibit the use of funds by the Administrator of the Environmental Protection Agency to accept, consider, or rely on third-party intentional dosing human studies for pesticides or to conduct intentional dosing human studies for pesticides)

At the appropriate place, add the following:

SEC. 4_____. None of the funds made available in this Act may be used by the Administrator of the Environmental Protection Agency—

(1) to accept, consider, or rely on third-party intentional dosing human studies for pesticides; or

(2) to conduct intentional dosing human studies for pesticides.

Mr. DORGAN. Mr. President, I ask unanimous consent that the amendment be set aside so I can offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1024

Mr. DORGAN. Mr. President, I send an amendment to the desk on behalf of Senator FEINSTEIN.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from North Dakota [Mr. DORGAN] for Mrs. FEINSTEIN, proposes an amendment numbered 1024.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To authorize the imposition of fees for overnight lodging at certain properties at Fort Baker, California)

On page 254, after line 25, add the following:

SEC. 4_____. Section 114 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (16 U.S.C. 460bb–3; Public Law 108–7), is amended—

(1) in the second sentence, by inserting ", including utility expenses of the National Park Service or lessees of the National Park Service" after "Fort Baker properties"; and

(2) by inserting between the first and second sentences the following: "In furtherance of a lease entered into under the first sentence, the Secretary of the Interior or a lessee may impose fees on overnight lodgers at Fort Baker properties.".

Mr. DORGAN. Mr. President, 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. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1025

Mr. DORGAN. Mr. President, I send an amendment to the desk on behalf of myself.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside, and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN] proposes an amendment numbered 1025.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require Federal reserve banks to transfer certain surplus funds to the general fund of the Treasury, to be used for the provision of Indian health care services)

At the end of title IV, add the following:

SEC. 429. (a) IN GENERAL.—Section 7 of the Federal Reserve Act (12 U.S.C. 789 et seq.) is amended by adding at the end the following:

"(d) ADDITIONAL TRANSFERS FOR FISCAL YEAR 2006.—

"(1) IN GENERAL.—The Federal reserve banks shall transfer from the surplus funds of such banks to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury, a total amount of $1,000,000,000 in fiscal year 2006.

"(2) ALLOCATION BY FED.—Of the total amount required to be paid by the Federal reserve banks under paragraph (1) for fiscal year 2006, the Board of Governors of the Federal Reserve System shall determine the amount that each such bank shall pay in such fiscal year.

"(3) REPLENISHMENT OF SURPLUS FUND PROHIBITED.—No Federal reserve bank may replenish the surplus fund of such bank by the amount of any transfer by such bank under paragraph (1) during fiscal year 2006.".

(b) USE OF SURPLUS.—Of amounts transferred to the general fund of the Treasury under section 7(d) of the Federal Reserve Act, as added by this section—

(1) $140,000,000 shall be made available to the Secretary of the Interior for use by the Bureau of Indian Affairs; and

(2) $860,000,000 shall be made available to the Secretary of Health and Human Services for use by the Director of the Indian Health Service in providing Indian health care services and facilities.

Mr. DORGAN. Mr. President, 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. SUNUNU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1026

Mr. SUNUNU. Mr. President, I send an amendment to the desk for immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment will be set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from New Hampshire [Mr. SUNUNU], for himself and Mr. BINGAMAN, Mr. MCCAIN, and Mr. FEINGOLD, proposes an amendment numbered 1026.

The amendment is as follows:

(Purpose: To prohibit the use of funds to plan, design, study, or construct certain forest development roads in the Tongass National Forest)

On page 254, after line 25, add the following:

SEC. 4_____. None of the funds made available by this Act may be used to plan, design, study, or construct new forest development roads in the Tongass National Forest for the purpose of harvesting timber by private entities or individuals.

Mr. SUNUNU. Mr. President, I offer this amendment on my behalf, but also on behalf of Senator BINGAMAN, and I ask unanimous consent that Senators MCCAIN and FEINGOLD be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SUNUNU. This amendment is pretty straightforward. It reads very

simply: To place a restriction on the use of Federal taxpayer funds to be used to build logging roads in the Tongass National Forest on behalf of private companies. This is a case where we need to be very careful about providing Federal subsidies for private corporations.

This was a topic of discussion during some of the remarks I made on the Energy bill and I have raised this issue many times in the past. We need to be careful about using Federal resources to provide subsidies for private companies because it distorts the marketplace, promotes inefficiencies, and isn't good stewardship of Federal resources.

In 2004, the Federal Government, through the Forest Service, spent between $45 and $50 million building logging roads in this segment of the national forest. They took in roughly $1 million in revenues. I would like to make sure we give the benefit of the doubt any time we are spending money. We understand it can have economic impacts, it can create jobs and the like, but to spend $45 or $50 million on programs that provide $1 million in revenues when there is a timber sale seems like an enormous inequity to me. If you compound these shortfalls over 20 years, the losses amount to between $750 and $850 million. I don't think this is an appropriate use of Federal resources.

I am pleased to offer this amendment with Senator BINGAMAN. I hope it will restore a little bit of fiscal restraint and balance to this Interior appropriations bill. It is important to recognize what this amendment does not do because, as the debate is carried forward, I want to make sure that concerns raised speak to the amendment and not to other issues.

What this amendment does not do is prohibit logging in the Tongass or any other segment of our national forest. It doesn't change policy regarding logging in any substantive way. It doesn't curtail uses in the national forest, again, in the Tongass or anywhere else in the country. I come from a State, New Hampshire, that has a great tradition of multiple use in our national forest system—recreational use, economic operations, timber program, hunting, fishing. It is a true multiuse forest. I believe that general approach to our national forest makes the most sense.

Finally, this amendment does not restrict the use of private funds to build logging roads. I don't think that is inappropriate in any way. If we have a timber sale on any segment of the national forest, that should be conducted in an open, transparent way, but the market should dictate the attractiveness of a particular cut, the sale of that timber, the pricing, and the like.

People who speak to this amendment may well raise concerns about regulation, about legal barriers and legal obstacles, about subsidies that other timber concerns in other countries may enjoy. Those are all valid concerns. I have stepped forward to try to address those concerns to allow timber management, an important segment of our economy, to operate in a fair and reasonable way. But this amendment doesn't address or solve or make worse any of those concerns. Those are issues that we need to continue to address. We should have reasonable regulatory processes that are understandable, that allow appropriate timber sales and logging operations to continue on national forest land. We should do everything in our power to minimize frivolous lawsuits throughout our economy but also those types of frivolous lawsuits that might necessarily hinder and raise the cost of the timber program. And, of course, there are subsidies being provided by other countries. New Hampshire and Canada share a border, and the issue of subsidies in the timber industry—placing operations in the United States at a competitive disadvantage—is something that I have dealt with time and time again.

But all this amendment does is say we will no longer use Federal funds to support the building, construction, and planning and development of roads for private entities in the Tongass. When you have a cost of $45 or $50 million for revenue of just $1 million, you don't have to be an economist to understand why this amendment makes good, common sense for the taxpayer.

I encourage my colleagues to support this legislation. It has been endorsed by a number of groups who are looking at this matter from a purely fiscal perspective and doing what is right for taxpayers. It reflects much more commonsense use of Federal resources.

I yield the floor.

AMENDMENT NO. 1029

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. I send to the desk an amendment on behalf of Senator KERRY and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. KERRY, proposes an amendment numbered 1029.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for the Veterans Health Administration)

On page 254, after line 25, add the following:

SEC. 429.(a) From any money in the Treasury not otherwise obligated or appropriated, there are appropriated $600,000,000 for the fiscal year ending September 30, 2005, for the Veterans Health Administration.

(b) The amount appropriated under subsection (a) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

AMENDMENTS NOS. 1030 AND 1031, EN BLOC

Mr. DORGAN. I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. I send two amendments to the desk and ask unanimous consent that they be considered sequentially, offered by Senator BINGAMAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. BINGAMAN, proposes en bloc amendments numbered 1030 and 1031.

Mr. DORGAN. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 1030

(Purpose: To modify a provision relating to funds appropriated for Bureau of Indian Affairs postsecondary schools)

On page 182, strike lines 20 through 25 and insert the following:

SEC. 110.(a)(1) For fiscal year 2006 and each succeeding fiscal year, any funds made available by this Act for the Southwest Indian Polytechnic Institute and Haskell Indian Nations University for postsecondary programs of the Bureau of Indian Affairs in excess of the amount made available for those postsecondary programs for fiscal year 2005 shall be allocated in direct proportion to the need of the schools, as determined in accordance with the postsecondary funding formula adopted by the Office of Indian Education Programs.

(2) For fiscal year 2007 and each succeeding fiscal year, the Bureau of Indian Affairs shall use the postsecondary funding formula adopted by the Office of Indian Education Programs based on the needs of the Southwest Indian Polytechnic Institute and Haskell Indian Nations University to justify the amounts submitted as part of the budget request of the Department of the Interior.

(b) Notwithstanding any other provision of law, $178,730 is authorized to be appropriated for the Southwest Indian Polytechnic Institute.

AMENDMENT NO. 1031

(Purpose: To set aside additional amounts for Youth Conservation Corps projects)

On page 130, line 2, strike ''$1,000,000'' and insert ''$1,250,000''.

On page 138, line 7, strike ''$2,000,000'' and insert ''$2,500,000''.

On page 146, line 19, strike ''$1,937,000'' and insert ''$2,500,000''.

On page 211, line 25, strike ''$2,000,000'' and insert ''$2,500,000''.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CARLOS LAZO

Mr. DORGAN. Mr. President, on Friday I brought to the floor a picture of a wonderful young soldier. This soldier is a man who fled from Cuba on a raft in 1992. His name is Carlos Lazo.

Sergeant Lazo has not been able to bring his family to this country from Cuba. He kept in contact with them, visiting them a number of times under the rules that allow Cuban Americans to visit close relatives in Cuba once a year.

In 1998, Carlos joined the National Guard. They were mobilized in 2003, deployed to Iraq in March of 2004. In June of 2004, Sergeant Lazo came back to the United States from Iraq on a 2-week R&R. He hoped to use that time to make his annual visit to Cuba to see his sons. But just before Sergeant Lazo came home on leave, the President announced new regulations that would limit Cuban-American family visits to once every 3 years. Even though Sergeant Lazo got to the Miami airport a day before the new regulation went into effect, our State Department prohibited him from boarding a charter flight to Cuba to visit his children.

Mr. Lazo, in the country of Iraq wearing America's uniform, won the Bronze Star award. Let me show you the award, the Bronze Star medal given SPC Carlos Lazo, Charlie Company, 181st Support Battalion, for exceptionally meritorious service while serving as a combat medic with Charlie Company. It goes on to talk about his heroism and courage. Here is an American soldier who went to fight in Iraq because his country asked him to fight in Iraq. He was fighting for freedom. This American soldier wins the Bronze Star fighting in Iraq. He comes home to this country and his young child in Cuba has a very high temperature and is in the hospital, quite ill. He wants to go to Cuba to visit his child. After fighting in Iraq, he is told he doesn't have the freedom to travel to Cuba to see his sick child. He came to see me the other day and asked if I could help him because I have been involved in legislation in the Senate dealing with travel to Cuba. I happen to believe that we ought to treat Cuba just as we do China and Vietnam, both Communist countries. Our official policy is that we will advance the interests of each through engagement. Travel and trade will be beneficial to moving China and Vietnam towards greater human rights. But we believe that is not the case with Cuba because we have clamped down on trips to Cuba.

Now a fellow like Carlos, an American soldier who is willing to fight in Iraq and wins a Bronze Star, is told, You can't visit your children in Cuba except for once every 3 years. Even when your child is ill in a hospital, we won't allow you to visit him.

He asked the question last week: What about freedom? I was fighting for freedom. I don't have the freedom to go travel 90 miles off the shores of Florida to the country of Cuba to see a sick child who is in the hospital?

I called the Department of the Treasury, which runs the agency that would provide the licenses, and asked to speak to the Treasury Secretary. He didn't return the call.

I called the State Department, asked for Condoleezza Rice. She didn't return my call. As an aside, I would observe that she was happy to return my call when she was up for confirmation on the floor of the Senate to be the Secretary of State. But she didn't return my call this time. At any rate, her Deputy, Mr. Zoellick, returned the call. I have great admiration for him so I was pleased to talk to him.

I also called the White House and talked to Karl Rove on Friday afternoon. I just got a call back from the White House saying that Mr. Rove will not be contacting me today. In fact, Mr. Zoellick will be handling this. I have not yet heard from Mr. Zoellick, but he indicated he would be getting back to me.

When I talked to the Treasury Department, they said: The regulations that came into effect that President Bush has announced provide no humanitarian relief at all.

It means that you can't travel to Cuba except once every 3 years to see your family.

I said: Surely there must be some humanitarian exceptions to that. This guy wins the Bronze Star fighting for this country, and he doesn't have the freedom to go visit a sick kid?

They said: There are no exceptions. We have people calling us saying: My mother is dying in Cuba. I need to go see her. We tell them no because there are no exceptions.

I said what on Earth are you thinking about? You created the regulation. Don't tell me the regulations prevent you from doing the right thing. You created them; change them. So here it is, on Monday afternoon, this Sergeant Lazo—Carlos Lazo—still asks the question: Why, when I fought in Iraq, demonstrated courage under battlefield conditions, won a Bronze Star, do I come home and find I don't have the freedom to visit my sick child 90 miles away from the shores of America?

That is unbelievable. Not surprising to me, but unbelievable.

I will show you a picture of another young woman who visited my office. This is Joan Scott. Joan went to Cuba, but she didn't get permission. She didn't know she had to get permission. She went to Cuba because she wanted to distribute free Bibles. She took a supply of Bibles and went to Cuba to distribute them. Guess what this Government did. They tracked her down and slapped a $10,000 fine on her. Why? She didn't have a license to go to Cuba.

Fidel Castro has been sticking his finger in our eye for many years. But if we think we are slapping him around by restricting the rights of the American people to travel there, we are seriously mistaken.

The quickest way to get Castro out of office in Cuba—and he has lived through 10 Presidencies—is through trade and travel, just as we do with China and South Vietnam, both of which are also Communist countries. Trade and travel will rapidly advance the day in which Cuba will have a new government. To penalize and punish American citizens—someone who wants to distribute free Bibles in Cuba, or someone who wants to take his father's ashes with his last request to distribute his ashes on the grounds of a church he once ministered in in Cuba, to punish these people—and this Government is doing that—is unbelievable.

In this case, it is Sergeant Lazo who is penalized. So this Monday afternoon he waits and I wait. Will I get a call from the State Department saying, No, our rules in America are that you can fight for America and for freedom, but you don't have the freedom to go see a sick kid? If that is the result, that is unbelievable.

Mr. President, we will see if I get a telephone call this afternoon. If they don't find a humanitarian way to provide exceptions, not just for Sergeant Lazo but for someone whose father or mother is dying and they need to go to Cuba, then we are going to vote on that on this appropriations bill. Yes, it will take a suspension and it will take a two-thirds vote. But we will see who wants to stand up for the interests of a young soldier who was willing to fight and die for this country but doesn't have the freedom to go see his sick son. We will see who is willing to stand up for his interests and the interests of the basic proposition that you ought to be free to travel. We will see at the end of today.

I say, again, I fully intend to offer an amendment to this bill, and it will require suspension of the rules, but I will offer that and ask my colleagues to vote on it.

Mr. President, there is more to say, but I will reserve that until I get a call from the State Department today telling us what they have decided to do.

AMENDMENT NO. 1032

Mr. DORGAN. Mr. President, I ask unanimous consent that the underlying amendment be set aside, and I send to the desk an amendment by Senator DURBIN.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. DURBIN, produces an amendment numbered 1032.

Mr. DORGAN. 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 prohibit the use of funds in contravention of the Executive order relating to Federal actions to address environmental justice in minority populations and low-income populations)

On page 254, after line 25, add the following:

SEC. 4_____. None of the funds made available by this Act may be used in contravention of, or to delay the implementation of, Executive Order No. 12898 of February 11, 1994 (59 Fed. Reg. 7629; relating to Federal actions to address environmental justice in minority populations and low-income populations).

Mr. DORGAN. Mr. President, 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. DORGAN. 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. DORGAN. Mr. President, I ask unanimous consent that I be able to speak in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

WASTE, FRAUD, AND ABUSE

Mr. DORGAN. Mr. President, I have spent the last nearly 2 hours prior to coming to the floor chairing a hearing of the Democratic Policy Committee on waste, fraud, and abuse, dealing with the Halliburton Corporation with respect to contracting in Iraq. I don't—along with my colleagues who joined me—take pleasure at holding hearings to expose waste and abuse and, I think, fraud. We do it because the authorizing committees in this Congress have decided they are not interested in having these kinds of hearings.

Let me just give you some idea of what we have learned at the five hearings that I have held on this subject. Today, at the hearing, an employee of Halliburton who was providing food service in a portion of Iraq to our troops, said something to me that was almost unbelievable. He said they were routinely serving food to American troops that had outdated stamps on it. When you go to the grocery store, you see that food is going to be good through a certain date. They were getting that kind of food that was out of date and serving it to American soldiers.

I understand greed because we see enough of it in some of these circumstances at these hearings. I don't understand the shameful behavior of somebody who is charging this Government for feeding our troops, and then would feed our troops food that is date stamped out of date. The Halliburton Corporation, by the way, said that it was feeding 42,000 troops a day in one contract, and it turns out that only 14,000 were eating. They were charging for 28,000 meals they were not serving. Now we discover, more than that—more than charging for 42,000 meals when only serving 14,000 meals—they were serving food that was out of date to American soldiers. That is unbelievable to me.

We send these soldiers to a war zone and we contracted that company to feed them, and they feed them food that is date stamped out of date. Nobody wants to investigate these things. No hearings. It is eerily quiet here. Normally, when you see fraud, waste, and abuse, we have people who are interested in investigating that and putting a stop to it right now. We have heard so many tales of waste, fraud, and abuse.

Halliburton orders 50,000 pounds of nails that are the wrong size, so they are laying on the sand in Iraq. Just another bit of waste. It is $40 for a case of pop or soda and $7,000 a month to lease SUVs. There are $85,000 trucks that are abandoned on the roads and are torched because they had a flat tire or a plugged fuel pump. These are all stories we have heard at our hearings, which the authorizing committees won't have. They have been asked to have them, but they will not. I have chaired five hearings—because they won't—on these issues. It doesn't serve American troops. It disserves American troops to allow this sort of thing to happen.

When we get involved in circumstances where our country has an obligation to the troops we ask to go into harm's way, we have a responsibility to make sure there is not corruption and looting and thieving going on.

We had a woman testify today, Bunnatine Greenhouse. She was the highest civilian official in the Pentagon dealing with Corps of Engineer projects. She was called in at one point and told: Either you can retire or you are going to be demoted. We are not putting up with your objections anymore.

She was objecting to sole-source contracts being given to Halliburton—no bids. What is the result of that? Headline after headline about waste and fraud. Here is what she said today:

> I can unequivocally state that the abuse related to contracts awarded to KBR [a subsidiary of Halliburton] represents the most blatant and improper contract abuse I have witnessed during the course of my professional career.

By the way, she had a meeting last week with the acting general counsel, I believe, of the Corps of Engineers, and she was told that it would not be in her best interest to speak publicly about these things. Surprise, surprise. Don't worry so much about the waste or the fraud or the abuse; worry about the people who are going to speak up, who have the courage to step out and say here is what is going on, and I am willing to risk my career to talk about it.

Good for this woman. It took courage for her to come forward today. She was one of the top senior officials in that whole pyramid. The old boys just worked around her and worked their will so they could give contracts worth billions and billions of dollars to one company—Halliburton—and then later to some others, but basically Halliburton.

Then we hear from a witness named Rory, who worked in the food facilities in Iraq, that Halliburton was routinely serving out-of-date food to American troops. I thought there wasn't much more that could shock me after having my fifth hearing on this, but there is.

I just say this to the authorizing committees: The minute you decide to do the kinds of accountability and oversight hearings Congress is supposed to do, I will not hold any more hearings. It was in 1941 when a Senator on the floor of the Senate, named Harry Truman, with a Democratic President in the White House, initiated a series of hearings that ended up being hundreds of hearings. They documented massive amounts of fraud in defense contracting during a war. It probably wasn't pleasant for a Democratic President to have a Democratic Senator challenging them on what was going on with respect to waste, fraud, and abuse, but Harry Truman did it.

Now we have a Republican President, a Republican-controlled Congress, substantial waste, fraud, and abuse, and nobody wants to hold hearings because they are worried it will embarrass somebody. This isn't about embarrassing anybody; it is about standing up for the interests of the American taxpayer, for the interests of the American troops, and deciding that during war it is unconscionable for people to profiteer, and for companies to cheat and defraud the Federal Government.

Unfortunately, these days, when you read the headlines and the audit reports, you discover that what this is all about is a slap on the wrist, a pat on the back, and then a continuation of the buddy system.

A fellow who testified today with respect to the food service in Iraq said that when Government auditors came, they were told: You are not to be available to speak to Government auditors. And they were told this: If you are caught speaking to a Government auditor, one of two things will happen. Either, A, you will be fired or, B, you will be sent to a base where there is active fighting. It's your choice.

I could not believe that. He said it again. He said it a second time. When Government auditors came to audit the Halliburton food contracts, they were ordered not to speak to the auditors, ordered not to respond to auditors' questions, ordered not to be available. And if they were caught answering questions of auditors, they would either be sent to a base where there was active fighting, or they would be fired. So that is some of what is going on.

The question is, Does anybody care? Will they, after 2 years of our holding five straight hearings now—when I say ''they,'' I mean the authorizing committees—perhaps begin to hold hearings themselves? Would it be embarrassing to ask that committees to do what they are supposed to do—provide oversight? When you have $10 billion or $12 billion lining the pockets of big contractors whose documented abuse of that money is legend—don't take it from me, take it from the facts that are on the record—will the committees of the Congress do what they have a responsibility to do? We will see.

I wanted to point out that this afternoon was spent by me—at least from 1:30 and for the first 2 hours—listening to things that I find shameful with respect to practices by some companies—notably Halliburton—in the country of Iraq, profiteering during a war.

Mr. President, the last time we held a hearing dealing with Iraq, we had one of the people there hold up a towel, and he said: My job was to buy towels, among other things. I was a procurement agent. I was to buy towels—the hand towels you would use in the bathroom in the morning.

He showed us the hand towel he was going to buy, and then he showed us the one he did buy. The one he did buy had a logo of the company on it—the contracting company. The contracting company wanted him to buy a higher priced towel, a more expensive towel, so they could put their logo on it. Waste of the money? I think so. It is unbelievable when you see all that is going on and nobody is minding the store.

I hope perhaps one day this Congress, in a deep slumber about accountability and oversight responsibilities, will wake up and do what it is required to do. At that point, we will no longer have to do hearings in our policy committee. Until that point, however, we intend to continue such hearings.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. 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. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORPORATION FOR PUBLIC BROADCASTING

Mr. DORGAN. Mr. President, there has been quite a controversy developing in recent weeks about the Corporation for Public Broadcasting. I have spoken on the Senate floor a couple of times about the subject, and I wish to address it now, particularly because of actions that were taken last week.

The Corporation for Public Broadcasting has a Board of Directors that is headed by a Mr. Kenneth Tomlinson. Mr. Tomlinson decided to take it upon himself to describe public broadcasting as having a liberal bias. Because it has a liberal bias, according to the Chairman of the Board of Directors, appointed by President Bush, he hired a consultant, a fellow who had worked for 20 years at a journalism center founded by the American Conservative Union. He hired a consultant for just over $14,000 without the knowledge of the Board of Directors to evaluate particularly programming by the Bill Moyers show called ''Now.'' The Inspector General at the Corporation for Public Broadcasting is now investigating that expenditure of money.

It is curious to me that the American people, by a wide margin, believe that public television and public radio, National Public Radio, for example, and PBS, is not biased, is good information, provides good programming, balanced programming, and yet the Chairman of the Board, who is partisan, has made it his cause to tell the American people there is a liberal bias in public broadcasting over television and radio on NPR and so on.

Most of us, of course, know public television by Big Bird, Ernie, the Cookie Monster, the Count, Grover. I was thinking, when I have heard the discussions about public broadcasting by the Chairman of the Board, Mr. Tomlinson, I was thinking of Oscar the Grouch, who complains about everything. I would not take the analogy so far because Oscar the Grouch lives in a trash can, but every time he peeks his head out something is wrong. He complains about everything, Oscar the Grouch.

Well, maybe we have an Oscar the Grouch running the Corporation for Public Broadcasting. After all, he is a partisan who has decided to allege that there is a partisan and liberal bias at the Corporation for Public Broadcasting. Then he hires a conservative to do an evaluation of that.

When he did that with public funding, I asked Mr. Tomlinson, by letter, to provide me the information gleaned from this consultant. He then sent me the raw data, which was many pages of raw information. I have described that on the Senate floor. I will not do that again. He told me that it was not a summary but he was completing a summary. I have now been given the summary in the last couple of days—I believe last Friday.

In the intervening period, Chairman Tomlinson also decided that his candidate to become President of the Corporation for Public Broadcasting, a position that was open, should be assumed by a former Co-Chair of the Republican National Committee. Over the objections of some members of the Board of Directors, he made that happen last week. So the former Co-Chair of the Republican National Committee is now going to become the President of the Corporation for Public Broadcasting, an organization that the Chairman of the Board of the Corporation for Public Broadcasting alleges has a liberal bias. He believes that it is political or partisan; therefore, he brings in a partisan.

If a former co-chair of the Democratic National Committee had been hired, I assume there would be a howl that one could hear all the way to West Virginia coming from this Chamber and the Chamber across the hall because they would say: You are politicizing the Corporation for Public Broadcasting. Regrettably, that is exactly what Mr. Tomlinson is doing by hiring a former Co-Chair of the Republican National Committee.

Public broadcasting does a real service in this country. There are some stories no other broadcasters will do. Do my colleagues think that ABC, CBS, NBC, or FOX will ever do a no holds barred, in-depth story about concentration in the media and about the rules that the Federal Communications Commission tried to foist on this country that would allow further concentration until they were stopped by the Federal courts? Do my colleagues think that would ever be dealt with by the major television networks? Not on your life because they are all making money consolidating.

The Federal Communications Commission came up with a goofy rule—one that, in my judgment, subverts the interests of the American people—and said it will be all right if in one major American city one company owns eight radio stations, three television stations, the dominant newspaper, and the cable company. That is just fine, according to the Federal Communications Commission. Well, it is not fine with me. That was the quickest and biggest cave-in to the special interests I have ever seen in my life, and the Federal court has at this point stopped it.

Guess who did the in-depth reporting, the hard-hitting reporting on the concentration of corporate interests in broadcasting. Was it CBS, NBC, ABC, FOX News? No, not on your life. They would not touch it because they make money continuing the concentration. It was public broadcasting. It was Bill Moyers. For that, he pays a price. The price he pays: Mr. Tomlinson and others accuse him of going astray, a liberal bias.

When I looked at the papers I was given that represent the raw data from the consultant, some of the listings evaluated programming on public broadcasting as either anti-Bush or pro-Bush. Is that what we are going to do in this country—run our evaluation of whether something is fair through a prism of whether it supports our President, whoever our President is? Is that the way one would have wanted to evaluate public broadcasting when President Clinton was in office—anti-Clinton, pro-Clinton? I do not think so. That is not the way we have a responsibility to evaluate these things.

This country is still a democracy, a free country. It is not unpatriotic to be critical of our Government. In the case of the FCC rules, that would allow massive concentration of broadcasting properties so that only four or five people will determine what the American people by and large will see, hear, and read. When that happens, when the FCC tries to do that, it is not unpatriotic to raise questions and do in-depth reporting and do tough reporting on it. There is nothing unpatriotic about that.

So the selection of the former Co-Chair of the Republican National Committee to be President of the Corporation for Public Broadcasting is a step that will injure public broadcasting. The board members who objected have told me that they felt the process for the selection of the chairman was not fair, and I intend to ask the Inspector General to include that question in the

investigation that is now ongoing about the use of funds for the consultant.

I believe most of us, Republicans, Democrats, and Independents, should care about retaining a strengthened and important public broadcasting system in this country. Big Bird is not a Republican or a Democrat, nor is the Cookie Monster. This is just good programming. It does a disservice to the interests of public broadcasting in this country to begin to undermine it by demanding that there is a liberal bias, by hiring consultants who themselves come from a conservative background with which to make a judgment of whether things are anti- or pro-Bush in public programming, and then to engineer the hiring of the former Co-Chair of the Republican National Committee as President of the Corporation for Public Broadcasting. All of that moves us in the direction that injures something very important to this country. My hope is at some point we will be able to see progress in putting this back together. But there is no question that substantial damage has been done to public broadcasting in recent weeks and that damage is because of leadership insisting that public broadcasting itself is flawed and is at fault.

I disagree with that. I think the problem is not public broadcasting; I think the problem has been the leadership of the Corporation for Public Broadcasting and the engineering of not only a known partisan to become president but also a partisan to do an evaluation that was destined to show what the Chairman of CPB was alleging.

Again I take no pleasure in coming to the floor to be critical of Mr. Tomlinson, but after what I have read from the consulting report that is now being investigated, frankly, I think there is a need to speak up and a need to decide that public broadcasting is important to this country and worth saving and won't be saved by those who want to drag it into the partisan waters.

Mr. President, I yield the floor. I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1035

Mr. DORGAN. On behalf of my colleague Senator WYDEN, I propose an amendment.

The PRESIDING OFFICER. Without objection, the pending amendment will be set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. WYDEN, proposes an amendment numbered 1035.

Mr. DORGAN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To extend the authority for watershed restoration and enhancement agreements)

On page 254, after line 25, add the following:

SEC. 4_____. Section 323(a) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 1011 note; Public Law 105–277), is amended by striking ''fiscal year 1999'' and all that follows through ''2005'' and inserting ''for each of fiscal years 2006 through 2015''.

Mr. DORGAN. Mr. President, I ask unanimous consent that the amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1036 AND 1037, EN BLOC

Mr. DORGAN. I send two amendments to the desk on behalf of my colleague from Rhode Island, Senator JACK REED, and ask for their consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. REED, proposes en bloc amendments 1036 and 1037.

Mr. DORGAN. I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 1036

(Purpose: To modify certain administrative provisions relating to the brownfield site characterization and assessment program)

On page 198, lines 21 and 22, strike ''Notwithstanding CERCLA 104(k)(4)(B)(i)(IV), appropriated funds for fiscal year 2006'' and insert the following: ''Notwithstanding section 104(k)(4)(B)(i)(IV) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(4)(B)(i)(IV)), beginning in fiscal year 2006 and thereafter, appropriated funds''.

AMENDMENT NO. 1037

(Purpose: To authorize recipients of grants provided under the brownfield site characterization and assessment program to use grant funds for reasonable administrative expenses)

On page 200, between lines 2 and 3, insert the following:

Beginning in fiscal year 2006 and thereafter, notwithstanding any other provision of law, recipients of grants provided under section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) may use the grant funds for reasonable administrative expenses, as determined by the Administrator of the Environmental Protection Agency.

Mr. DORGAN. Mr. President, I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. 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. STEVENS. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The pending question is amendment 1037 to the Interior appropriations bill.

Mr. STEVENS. What amendment is pending?

The PRESIDING OFFICER. Amendment 1037.

AMENDMENT NO. 1026

Mr. STEVENS. What is the number of Senator SUNUNU's amendment?

The PRESIDING OFFICER. Senator SUNUNU's amendment is 1026.

Mr. STEVENS. I thank the Chair.

Mr. President, I have come to the floor to briefly discuss this amendment that has been offered by the Senator from New Hampshire and others and tell the Senate this is opening the door to a whole series of agreements that were made in previous Congresses and approved by the President, and it is a subject I intend to debate at length. I will tell the Senate a little bit of history tonight and take an opportunity to more subsequently discuss this issue.

This amendment that has been offered will prevent the use of Federal funds to plan, design, study, or construct new forest development roads in the Tongass. The Tongass National Forest is our largest national forest. It has a southern division and a northern division. When I came to the Senate, the harvest level was about 1.5 billion board feet a year from the total Tongass. In subsequent years it has been under attack severely, until today I think it is less than 17 percent of the Tongass is available for harvesting timber.

This amendment discriminates against Alaska. There are national forests in many States and the Forest Service spends a lot of money on forest roads, but this would say that only in Alaska can the Forest Service be prohibited from spending money for forest roads.

Let me go back a little bit in the history. I am gathering the information we need to address the matter in depth tomorrow and subsequently. This area is not unique in the sense of timber harvest. The Forest Service follows about the same regulations in Alaska they would in any other national forest. The difference is that we had, in 1980, the Alaskan National Interests Conservation Land Act which withdrew a great portion of this forest from any future harvesting of timber; then after that we had the Tongass Timber Reform Act which further limited the amount that could be harvested from the Tongass; and then we had the enormous dispute over roads in the Tongass. This is another way to limit the development of Alaska's timber because of the policies of our national Government with regard to harvesting the national forests.

The debate over forest roads also has included the question of the provisions

in the 1980 act which prohibited any further withdrawal of Alaska's lands without prior approval of the Congress. This is an amendment that looks as if there is an economic concept involved, but really it is one of the goals of those who want to limit further use of the Tongass to produce timber.

Regarding the roadless concept, they tried to apply it to our national forests, the Tongass National Forest. Because of the provisions in the 1980 act which prohibit further withdrawals of Alaska's land without prior approval of the Congress, that concept did not get applied to the Tongass. The last President did issue an Executive order which purported to change that, but that has been rescinded as that was an error on the part of the last administration. We are operating under the basis that there could be roads built in the portions of the Tongass that have not been withdrawn.

The problem is this: The cost of developing roads in Alaska are different from other States. In most States, there is a road infrastructure in the area that surrounds the national forest. As a matter of fact, most national forests have a Federal highway going right through them. Southeast Alaska has no roads. It is an island community. There is no connection between those islands. There is no attempt to build a highway system in southeast Alaska. As a matter of fact, our capital city has no roads that can be used to enter Juneau from another area. I think it is the only capital you can reach only by boat or air. There is no way to drive to our capital because it is on one of the islands I am talking about.

When we look at the situation of southeast Alaska, we have to realize one of the costs of developing a timber industry in southeast Alaska is building roads on islands on which there are no roads. They are temporary roads built under specification of the Forest Service and designed to become wilderness, in effect, once the regrowth is commenced.

What I am saying is, once the timber is harvested, the natural product of what we call the ''slash'' that comes from developing and cutting the timber is laid across the ground, and within a very few years that area will be totally grown over again. In most instances, we will not find the roads because they have been eliminated by regrowth. I invite everyone to take a look at Admiralty Island, across from Juneau. That at one time was cut for timber and now is regrown to such an extent that it has been named a wilderness area. It is the only area in the country that is a wilderness area despite the fact that its timber was once cut.

As we get the information I am seeking from the Forest Service and from other agencies, I want to demonstrate to the Senate that the only way to be able to harvest the timber we are entitled to harvest is to follow the process the Forest Service itself has selected; that is, that it build the forest roads. As it selects an area for timber harvest, it will build the roads, and the purchaser of the timber will agree to pay the cost of those roads as part of the cost of the contract to harvest the timber.

As time has passed and many of our areas have been selected for harvest in the area set aside for timber production now—I remind the Senate that well over three-fourths of the Tongass has been set aside as national parks, wild and scenic rivers, forest wilderness, and is not available for any kind of timber harvest. In the areas where it was agreed timber harvests would be permitted, the Forest Service builds these roads and uses the funds we appropriate for that purpose, and those funds are repaid by the person who harvests the timber.

As time has passed, the challenges from the environmental organizations of the country, the environmental costs, the environmental impact statements, and often-repeated environmental impact statements, have added up to the fact that some assert that this is not a profitable endeavor, for the Federal Government to allow timber to be harvested in the Tongass. But they forget—and that is why I am here—they forget there was an understanding and a commitment that a portion of this area would be available for timber harvest. That is one of the local products that is a renewable resource. The cutting cycle in our timber area is over 100 years. It means an area harvested this year will not be put up for sale for 100 years. Under the circumstances, to have a provision that says the roads that are to be built would be built by an individual in advance of getting a contract for timber harvesting means that great speculation would enter into this industry.

It would also mean that the decision would be made by nonresidents of the area, speculators. Currently our logging industry is a local industry. They are small logging companies. They log small areas on the islands at a competitive bid to obtain the right to harvest that timber. This is not a case of wasting Federal money.

Those who are approaching it from the point of view, saying the Federal Government should not spend this money, do not realize the best way to develop this timber industry was to have roads built by a Federal agency, designed by a Federal agency, and constructed for the safety not only of the people who are going to be working in the area but also for the protection of other resources such as the fish and wildlife resources of the area.

The problem for a person who wants to harvest this area is overwhelming if they have to make the decision of where the road should go because there is so much inter-Federal-agency consultation going into the harvests, these roads for timber harvest, that it would be almost impossible for a private sector person to be able to get to the point where there would be approval for the location of the road. The design is determined by the Federal Government, the location is determined by the Federal Government, the safety features are determined by the Federal Government, and the purchaser of the timber has agreed to pay the costs.

The way it is done right now is in the best way, in the interests of the environment, and the interest of the people of the area. Once the roads are built, it is possible for the local people to be able to bid to harvest the timber and to make it available to the international community. By Federal law, we do not export this timber. It must be sold in the United States. This is from Federal land, and therefore is subject to the Federal law that prohibits the export of this timber.

It is a forest product that would be worth a great deal more if it could be exported. But it is not. Some of the Native-owned timber is exported, but the timber from the Federal lands is not exported.

The main reason I am here is to ask the Senate to think about this. This is a provision that applies only in the Tongass National Forest of Alaska. Why not the rest of the country? Why not the forests in New Hampshire? There is a forest in New Hampshire. What about the forests of other areas of the country? I am considering offering a second-degree amendment—I understand second-degree amendments will be in order and are in order—to apply it to the whole country.

Above all, what about the commitment made to Alaska when so much of Alaska was withdrawn? In 1980, the law that was passed we called the Alaska National Interests Land Conservation Act which withdrew over 100 million acres. That was a hard-fought battle that lasted 7 years in this Senate. We finally reached a conclusion that many of my constituents disagreed with, that in order to go forward with our economy and in order to go forward with our relationship with the Federal Government, we agreed to that act. It became law despite the fact that so many people disagreed with it because it did have some commitments to Alaska. This is one of the commitments, that the areas that were not set aside would be subject to harvest by the timber industry under the concepts that existed at the time.

Now if we come along and change those concepts and say you cannot use Federal funds in the beginning, it means we will have to go back and fashion a basic Federal law that deals with the investment of private funds in those roads before the decision has been made—it is almost impossible for anyone to conceive building roads in an area before the final decision has been made that the timber can be harvested. The decision used to be made just by the Forest Service, but it is made by the courts now. Every single sale has gone to court repeatedly.

Two years ago, I had an amendment to limit the amount of time that could

be taken in those appeals. That is an issue that needs to be examined. But very clearly, the concept of using this approach that none of the funds available in this act may be used for the development of the these roads is another way to make the area wilderness. This is a wilderness bill. This is not an economic amendment. This is an amendment to assure that the commitment was made to us that a portion of the timber in the Tongass could be harvested. This will be reneging on that commitment.

There is no way now for us to proceed with this type of road construction until we identify the purchaser of the timber, and there is no way really to get to the point of purchasing the timber until the roads are created. There are no roads available in the area except the ones to be constructed by the logging company that will cut the timber.

I am sure the sponsors of this amendment do not realize what they are setting in motion. They are setting in motion a total block to development of the Tongass and a total reneging on the commitment that was made to our State that timber in this area would be subject to harvest.

I hope to have an amendment that will make this apply to the whole country.

I also have an amendment that I would want the Senate to consider, and that is that there should be a study made of the developing of these roads in the forest system, and that there be a report on a new process to develop roads in the units of the National Forest System if we are not to use Federal funds to build the roads.

Again I say, from the point of view of safety, from the point of view of consistency as far as environmental protection, having the Forest Service build the roads in the areas that they agree to be available for timber harvesting is the best way we have devised so far. This concept, if it is to be studied, it ought to be studied throughout the whole National Forest Service System, not just my State, not just our State.

I do think there is a great deal more to this debate that needs to be brought up to the Senate. But above all, people have asked: Why don't we just have a vote? The main reason is I think there are Senators here who really do not know the history of the development of this relationship between Alaska and the Federal Government with regard to the resources of our State.

If you look at the 1980 act that withdrew over 100 million acres, you will find that because of those withdrawals you cannot build a north-south road in Alaska. You cannot build an east-west road in Alaska. There is no way to get through the various passes and across the rivers where you should be able to do it because withdrawals were made for national parks, wild and scenic rivers. There are a whole category of withdrawals to prevent that kind of development.

There actually was a Senator on the floor of the Senate at one time who said our whole State should be made a national park and we should not be allowed to develop any portion of it. Our State is one-fifth the size of the United States. It is as big as at least 20 of the 48 States of what we call the South 48.

We are entitled to a lifestyle. We are entitled to be treated as a State. We fought long and hard to become a State. What we are seeing here is this inching away from being treated as a State. This amendment only applies to Alaska. Of all the units of the forest system in the United States, it would only apply to Alaska. I think that type of discrimination should be reason enough for any Senator to vote against this amendment.

But above all, I do hope the Senate will take time with us. My colleague, Senator MURKOWSKI, will be with me tomorrow, and we will discuss this amendment at length.

Right now, I just have to express my deep disappointment in an amendment of this type. I cannot conceive of offering an amendment to discriminate against another State. We sought to become a member of this Union because we thought we would be equal to other States. We have witnessed, time and time again, this attitude of people from other parts of the country that we are not entitled to the same rights as other Americans in terms of our relationship to the Federal Government.

I think this is an area that needs examination. And it needs understanding. I cannot recall since I have been here holding up an appropriations bill. This one I do think is going to be held up. I want the Senate to know that I have a whole series of amendments that will be offered to this amendment. I do not take lightly the attack on our State, a discriminatory attack on Alaska.

There are few Senators who have been privileged to be part of a battle for statehood for their State who end up on the floor of the Senate. I think one of my duties as a Senator for Alaska is to see to it that we are not discriminated against. And this is a discriminatory amendment, one that really disturbs me, as I have indicated, greatly. I do hope those who come from States that have national forests will examine the practices in their States.

One of the strange things about this is we have inquired from the Forest Service about the money they are spending for roads in each of the forests. The way they handle the money, it is not too easy to find out how much money is being spent in each of the forests.

But clearly we know there are forest roads being built in the national forests in other States. I believe the Senate should understand the gravity of this kind of discrimination against my State.

I am not offering these amendments yet because I want to confer with my colleague who went home this past weekend since there are no votes today. I will be here tomorrow to try to explain further our amendments. But I do want to explain to my friends who are the managers of this bill, I hope they will not become overly disturbed with us. But we want to find some way to convince the Senate not to discriminate against our State. If there is some change that should be made to forest roads, it should apply to all forests. And if there is some concept of making a decision with regard to the economics of this aspect of this, let's decide what to do with the Forest Service altogether, not just the Forest Service that applies to Alaska.

I close with what I started. Last year, I think we harvested less than 200 million board feet of timber, less than one-seventh of what was harvested the year I came to the Senate. Successive Congresses have found ways to whittle away, whittle away, whittle away at our ability to use the resources of our State. I think this is a time to ask the Senate to pause and consider that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1038 AND 1039

Mr. SALAZAR. Mr. President, I send two amendments to the desk en bloc and ask unanimous consent for their immediate consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. SALAZAR] proposes en bloc amendments numbered 1038 and 1039.

Mr. SALAZAR. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 1038

(Purpose: To provide additional funds for the payment in lieu of taxes program, with an offset)

On page 171, line 13, strike ''$94,627,000'' and insert ''$87,627,000''.

On page 172, line 17, strike ''$235,000,000'' and insert ''$242,000,000''.

AMENDMENT NO. 1039

(Purpose: To provide that certain user fees collected under the Land and Water Conservation Act of 1965 be paid to the States)

On page 254, after line 25, add the following:

SEC. 4_____. (a) Notwithstanding subsection (b)(3) of section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8), any user fees collected under that Act with respect to recreational and related activities in a State shall be paid to the State in which the fees were collected.

(b) Amounts paid to a State under subsection (a) shall be in addition to, and shall not reduce, the apportionment of the collecting State under section 6(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8(b)).

Mr. SALAZAR. Mr. President, I want to just spend a few quick minutes speaking about both of these amendments. The first amendment is an amendment relating to the payment in lieu of taxes.

For those of us who come from the West, where so much of our land is owned by the Federal Government, payment in lieu of taxes is essential for our local governments to be able to function. In my great State of Colorado, most of the western half of the State is owned by the Federal Government. There are many counties in my State that rely on payment in lieu of taxes for up to 90, 95 percent of their budgets.

The amendment I have sent forward that deals with payment in lieu of taxes is an amendment that would add an additional $7 million into the payment in lieu of taxes fund. That would bring the amount up to a level of consistency with what has come out of the House of Representatives.

I urge my colleagues in the Senate to support the amendment.

Mr. President, the second amendment deals with the Land and Water Conservation Fund. My proposal, in this amendment, is that the user fees that are collected in, for example, ski areas in places such as Montana or Wyoming or Colorado—that those amounts of money be returned back to the Land and Water Conservation Fund in those States in addition to the amount of money they already receive under the Land and Water Conservation Fund.

It seems to me it would be an appropriate investment of these dollars to be invested through the programs of the Land and Water Conservation Fund.

Again, we may be talking more about this in the days ahead, but the Land and Water Conservation Fund has had an exemplary record in the contributions it has made to preserve our water and our air and our land. I think this amendment will be helpful for us as we work on that agenda at a national level.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

AMENDMENT NO. 1040

Mr. BURNS. Mr. President, I send to the desk an amendment offered by Senator BOND regarding the U.S. Geological Survey.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for Mr. BOND, proposes an amendment numbered 1040.

Mr. BURNS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To set aside funds for the University of Missouri-Columbia to establish a wetland ecology center of excellence)

On page 154, line 12, strike ''That'' and insert ''That from the amount provided for the biological research activity, $200,000 shall be made available to the University of Missouri-Columbia to establish a wetland ecology center of excellence: *Provided further*, That''.

Mr. BURNS. Mr. President, I ask unanimous consent that the amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1041

Mr. BURNS. Mr. President, I send to the desk an amendment offered by Senator CRAIG of Idaho regarding mineral rights in the Payette National Forest.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for Mr. CRAIG, proposes an amendment numbered 1041.

Mr. BURNS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To withdraw from mineral entry or appropriation under mining lease laws, and from leasing claims under mineral and geothermal leasing laws, certain land in the Payette National Forest)

At the appropriate place, add the following: ''*Provided further*, That, subject to valid existing rights, all land and interests in land acquired in the Thunder Mountain area of the Payette National Forest (including patented claims and land that are encumbered by unpatented claims or previously appropriated funds under this section, or otherwise relinquished by a private party) are withdrawn from mineral entry or appropriation under Federal mining laws, and from leasing claims under Federal mineral and geothermal leasing laws.''.

Mr. BURNS. Mr. President, I ask unanimous consent that the amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1042

Mr. BURNS. Mr. President, I send to the desk an amendment offered by Senator WARNER of Virginia regarding the National Park Service.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS] for Mr. WARNER, proposes an amendment numbered 1042.

Mr. BURNS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To set aside funds for the replacement of the main gate facility at the Wolf Trap National Park for the Performing Arts, Virginia)

On page 149, line 7, after ''acquisitions,'', insert the following: ''of which $4,285,000 shall be made available for the replacement of the main gate facility at the Filene Center, Wolf Trap National Park for the Performing Arts, Virginia,''.

AMENDMENT NO. 1028

Mr. BURNS. Mr. President, I call up amendment No. 1028 regarding the Great Smoky Mountains.

The PRESIDING OFFICER. Without objection, the pending amendments are set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for Mr. FRIST, for himself, and Mr. ALEXANDER, proposes an amendment numbered 1028.

Mr. BURNS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reinstate a provision relating to National Parks with deed restrictions)

On page 254, after line 25, add the following:

SEC. 4_____. (a) Section 813(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812(a)) is amended by striking ''and (i)'' and inserting ''and (i) (except for paragraph (1)(C))''.

(b) Section 4(i)(1)(C)(i) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–6a(i)(1)(C)(i)) is amended—

(1) by striking ''Notwithstanding subparagraph (A)'' and all that follows through ''or section 107'' and inserting ''Notwithstanding section 107''; and

(2) by striking ''account under subparagraph (A)'' and inserting ''account under section 807(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6806(a))''.

(c) Except as provided in this section, section 4(i)(1)(C) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–6a(i)(1)(C)) shall be applied and administered as if section 813(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812(a)) (and the amendments made by that section) had not been enacted.

(d) This section and the amendments made by this section take effect on December 8, 2004.

Mr. BURNS. Mr. President, I ask unanimous consent that the amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1012

Mr. BURNS. Mr. President, I call up amendment No. 1012 offered by Senator ENSIGN regarding the sale of certain lands in Nevada.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for Mr. ENSIGN, proposes an amendment numbered 1012.

Mr. BURNS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway)

On page 254, after line 25, add the following:

SEC. 4_____. (a) In this section:

(1) The term ''Federal land'' means the approximately 115 acres of Bureau of Land Management land identified on the map as ''Lands identified for Las Vegas Speedway Parking Lot Expansion''.

(2) The term ''map'' means the map entitled ''Las Vegas Motor Speedway Improvement Act'', dated February 4, 2005, and on file in the Office of the Director of the Bureau of Land Management.

(3) The term ''Secretary'' means the Secretary of the Interior.

(b)(1) If, not later than 30 days after the date of completion of the appraisal required under paragraph (2), Nevada Speedway, LLC, submits to the Secretary an offer to acquire the Federal land for the appraised value, notwithstanding the land use planning requirements of section 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary shall, not later than 30 days after the date of the offer, convey to Nevada Speedway, LLC, the Federal land, subject to valid existing rights.

(2)(A) Not later than 90 days after the date of enactment of this Act, the Secretary shall complete an appraisal of the Federal land.

(B) The appraisal under subparagraph (A) shall be conducted in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) the Uniform Standards of Professional Appraisal Practice.

(C) All costs associated with the appraisal required under subparagraph (A) shall be paid by Nevada Speedway, LLC.

(c) Not later than 30 days after the date on which the Federal land is conveyed under subsection (b)(1), as a condition of the conveyance, Nevada Speedway, LLC, shall pay to the Secretary an amount equal to the appraised value of the Federal land, as determined under subsection (b)(2).

(d) As a condition of the conveyance, any costs of the conveyance under subsection (b)(1) shall be paid by Nevada Speedway, LLC.

(e) If Nevada Speedway, LLC, or any subsequent owner of the Federal land conveyed under subsection (b)(1), uses the Federal land for purposes other than a parking lot for the Nevada Speedway, all right, title, and interest in and to the land (and any improvements to the land) shall revert to the United States at the discretion of the Secretary.

(f) The Secretary shall deposit the proceeds from the conveyance of Federal land under subsection (b)(1) in accordance with section 4(e)(1) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345).

(g)(1) Except as provided in subsection (b)(1) and subject to valid existing rights, the Federal land is withdrawn from—

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) The withdrawal of the Federal land under paragraph (1) shall be in effect for the period beginning on the date of enactment of this Act and ending on the earlier of—

(A) the date that is 2 years after the date of enactment of this Act; or

(B) the date of the completion of the conveyance of Federal land under subsection (b)(1).

Mr. BURNS. Mr. President, I ask unanimous consent that the amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1033

Mr. BURNS. Mr. President, I call up amendment No. 1033 offered by Senator ENSIGN regarding structures at Lake Tahoe.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for Mr. ENSIGN, proposes an amendment numbered 1033.

Mr. BURNS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit the use of funds for the demolition of buildings at the Zephyr Shoals property, Lake Tahoe, Nevada)

On page 254, after line 25, add the following:

SEC. 4_____. None of the funds made available to the Forest Service under this Act shall be expended or obligated for the demolition of buildings at the Zephyr Shoals property, Lake Tahoe, Nevada.

Mr. BURNS. Mr. President, I ask unanimous consent that the amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1002, 1003, 1015, 1019, AND 1020

Mr. BURNS. Mr. President, I ask unanimous consent, on behalf of Senator COBURN of Oklahoma, to offer en bloc amendments Nos. 1002, 1003, 1015, 1019, and 1020.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for Mr. COBURN, proposes en bloc amendments numbered 1002, 1003, 1015, 1019, and 1020.

Mr. BURNS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 1002

(Purpose: To reduce total appropriations in the bill by 1.7 percent for the purpose of fully funding the Department of Defense)

At the appropriate place, insert the following:

SEC. . Notwithstanding any other provision of this Act, each amount provided by this Act is reduced by 1.7 percent.

AMENDMENT NO. 1003

(Purpose: To require conference report inclusion of limitations, directives, and earmarks)

At the appropriate place, insert the following:

SEC. . Any limitation, directive, or earmarking contained in either the House or Senate report must also be included in the conference report in order to be considered as having been approved by both Houses of Congress.

AMENDMENT NO. 1015

(Purpose: To transfer funding to Wildland Fire Management from the National Endowment for the Arts and the National Endowment for the Humanities)

On page 233, line 9, strike ''126,264,000'' and insert ''121,264,000''.

On page 234, line 5, strike ''127,605,000'' and insert ''122,156,000''

On page 130, line 24, strike ''766,564,000'' and insert ''777,013,000''.

AMENDMENT NO. 1019

(Purpose: To transfer funding to the Special Diabetes Program for Indians and the Alcohol and Substance Abuse Program within the Indian Health Service from funding for federal land acquisition)

On page 133, strike lines 16 through 22.

On page 139, line 24, strike ''40,827,000'' and insert ''8,827,000'' .

On page 150, line 22, strike ''86,005,000'' and insert ''54,005,000''.

On page 207, strike lines 4 through 12.

On page 216, strike ''2,732,323,000'' and insert ''2,853,498,000'' .

At the appropriate place, insert the following:

Provided further, That of the funds provided to the Indian Health Service, no less than $210,000,000 shall be made available for the Special Diabetes Program for Indians, and no less than $200,248,000 shall be made available for the Alcohol and Substance Abuse Program.

AMENDMENT NO. 1020

(Purpose: To express the Sense of the Senate that any additional emergency supplemental appropriations should be offset with reductions in discretionary spending)

At the appropriate place, insert the following:

SEC. . (a) FINDINGS.—The Senate makes the following findings:

(1) The on-budget deficit for fiscal year 2005 is estimated to be $541 billion according to the Congressional Budget Office.

(2) Total publicly-held federal debt on which the American taxpayer pays interest is expected to reach $6 trillion by 2011 according to the Congressional Budget Office.

(3) The United States and its allies are currently engaged in a global war on terrorism.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that:

(1) The servicemen and women of the United States Armed Forces deserve the full support of the Senate as they seek to preserve the safety and security of the American people.

(2) Activities relating to the defense of the United States and the global war on terror should be fully funded.

(3) Activities relating to the defense of the United States and the global war on terror should not be underfunded in order to support increased federal spending on non-defense discretionary activities.

(4) Any additional emergency supplemental appropriations should be offset with reductions in discretionary spending.

Mr. BURNS. Mr. President, I ask unanimous consent that the amendments be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURNS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1043

Mr. DORGAN. Mr. President, I send to the desk, on behalf of Senator FEINGOLD, an amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. FEINGOLD, proposes an amendment numbered 1043.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Government Accountability Office to conduct an audit of the competitive sourcing program of the Forest Service)

On page 249, line 19, before the period, insert the following: ''conducted in accordance with generally accepted full cost accounting principles''.

On page 250, between lines 23 and 24, insert the following:

(e) AUDIT.—(1) In this subsection:

(A) The term ''baseline organization'' means the organization performing the work to be studied prior to initiation of a competitive sourcing study under this section.

(B) The term ''new organization'' means the private contractor, or the most efficient public agency, and associated management and oversight functions used at the conclusion of a competitive sourcing study under this section.

(2) Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct an audit of the competitive sourcing program of the Forest Service.

(3) The audit shall include—

(A) an analysis of the costs and benefits of the competitive sourcing initiative conducted by the Forest Service;

(B) an analysis of existing procedures to track (in accordance with full cost accounting principles) all costs required to calculate accurate savings or losses attributable to a competitive sourcing study, and recommendations on how the existing procedures can be improved, including all costs attributable to developing, implementing, supporting, managing, monitoring, and reporting on competitive sourcing (including personnel, consultant, travel, and training costs associated with program management), including—

(i) costs incurred by the Forest Service before initiation of the competitive sourcing study in performing the work to be studied with the baseline organization;

(ii) costs of performing the competitive sourcing study, including—

(I) travel and per diem costs;

(II) training and communications costs;

(III) contractor costs; and

(IV) the cost to the Federal Government of Federal employees working on any aspect of the study or performing any work necessitated by the study;

(iii) costs of implementing the competitive sourcing study results, including costs described in clause (ii) and costs associated with buyouts, transfers of station, and reductions in force;

(iv) ongoing operational costs of performing the work with the new organization employed as a result of competitive sourcing study, including any modifications to the contract or letter of obligation necessitated by omissions in the statement of work of the solicitation;

(v) costs associated with oversight and maintenance of the contract or letter of obligation;

(vi) savings realized or costs borne by the Forest Service that are not included under clause (iv), including savings or costs due to—

(I) changes in the timeliness or quality of the work provided by the new organization;

(II) changes in procedures of the Forest Service necessitated by the new organization;

(III) the assignment to employees or contractors outside of the new organization of duties previously performed by the baseline organization; and

(IV) changes in the availability of personnel to perform high priority fire suppression or other emergency response work on a collateral basis; and

(vii) costs of maintaining and operating a competitive sourcing infrastructure, including office, salary, contractor, and travel costs associated with the Forest Service Competitive Sourcing Office and the cost to the Federal Government of Federal employees for the time for which the employees are managing the program;

(C) recommendations on what accounting practices should be adopted by the Forest Service to improve accountability;

(D) an evaluation of the comparative efficiencies of the Forest Service competitive sourcing and business process reengineering procedures; and

(E) an analysis of—

(i) the A–76 study that resulted in the information services organization and the continuing Federal Government activity;

(ii) the A–76 study of Region 5 fleet maintenance work that resulted in the transfer of work to Serco; and

(iii) the financial management improvement project, accomplished by means of business process reengineering.

Mr. DORGAN. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1044

Mr. DORGAN. Mr. President, I have an amendment on behalf of Senator BYRD that I send to the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. BYRD, proposes an amendment numbered 1044.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To set aside funds for the White Sulphur Springs Fish Hatchery)

On page 139, line 5, before the period insert the following: '': *Provided further*, That of the total amounts made available under this heading, $350,000 shall be made available for the mussel program at the White Sulphur Springs National Fish Hatchery''.

AMENDMENT NO. 1045

Mr. DORGAN. I ask unanimous consent that the amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I send to the desk an amendment by Senator CONRAD and ask for its consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. CONRAD, proposes an amendment numbered 1045.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To set aside funds for a brownfields assessment of the Fortuna Radar Site)

On page 195, line 7, after ''costs'', insert the following: '', of which $200,000 shall be made available for a brownfields assessment of the Fortuna Radar Site''.

AMENDMENT NO. 1046

Mr. DORGAN. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I send an amendment to the desk on behalf of Senator SARBANES and ask for its consideration.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. SARBANES, for himself, Mr. ALLEN, Mr. WARNER, and Ms. MIKULSKI, proposes an amendment numbered 1046.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail)

On page 254, after line 25, add the following:

SEC. 4_____. Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

''(43)(A) The Captain John Smith Chesapeake National Historic Watertrail, a series of routes extending approximately 3000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, Pennsylvania, and Delaware and the District of Columbia that traces Captain John Smith's voyages charting the land and waterways of the Chesapeake Bay and the tributaries of the Chesapeake Bay.

''(B) The study shall be conducted in consultation with Federal, State, regional, and local agencies and representatives of the private sector, including the entities responsible for administering—

''(i) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; Public Law 105–312); and

''(ii) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267).''.

Mr. DORGAN. 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. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EDUCATION

Mr. BAUCUS. Mr. President, in the book of Isaiah, the prophet wrote,

''[M]y people have gone into captivity, because they have no knowledge.''

Francis Bacon wrote, ''Knowledge itself is power.''

And when H.G. Wells summed up his history of the world, he concluded: ''Human history becomes more and more a race between education and catastrophe.''

In the next two decades, America's history will become more and more a race for economic leadership. For more than a century, America's economy has set the pace. We have led all competitors. Year after year, we have become used to winning the race.

But now, over our shoulder, we can hear the footsteps of another runner. That competitor is China. And it is gaining fast.

If we wish not to go into economic subservience, if we wish to maintain our economic power, if we wish to avert economic misfortune, the answer is education.

America's economic leadership has been a remarkable achievement. We Americans are just 4.6 percent of the world's people. More than a fifth of the world's people live in China. There are nearly 4½ times as many Chinese as there are Americans.

Yet America produces 60 percent more goods and services than China.

That is how Americans can enjoy one of the world's foremost standards of living. The average American's share of our economic output is $37,610 a year. The average Chinese's share of theirs is $1,100 a year.

But from a slow start, China has picked up the pace. Starting with Deng Xiaoping in the late 1970s, China began to reform its economy. Deng was eminently practical, when it came to economic philosophy. He said: ''It doesn't matter whether the cat is black or white, as long as it catches mice.'' Today, you can find those capitalist cats everywhere in China.

Over the last two decades, China's economy has been growing at an average of 9.5 percent, nearly three times as fast as America's. And some project that within 20 years, China's could become the world's largest economy, ending more than a century of American leadership.

You can see how they do it at an American or Japanese factory in Shanghai. You see rows and rows of hardworking workers, in colorful uniforms, at well-lit work stations. The company pays them about $2,000 a year, plus food and housing benefits. But that is good money in a country with an average income of $1,100 a year. The workers there want to keep their jobs. And 200 million other workers stand ready to take their jobs if they do not.

The challenge for America in the decades to come will be: How can America compete with that factory in Shanghai? How can we get paid $37,000 a year or more to make goods and perform services, when there are Chinese workers willing to work hard for $2,000 a year?

The answer is not protectionism. We cannot build a wall around America. We cannot lift the drawbridge and flood a moat around our Country.

If American companies do not employ those willing workers at the Shanghai factory, companies from Japan and Italy and China itself will. Then Japanese and Italian and Chinese companies will sell products more cheaply into America. And American consumers will gladly buy those products at lower prices. American consumers will insist on buying those products at lower prices.

If America raises tariffs on goods made in China, then American consumers will pay more for their cost of living than will people in other countries. Americans will have less money to spend on other things that they want, less money to spend on other things in America. The American economy will be smaller, if America raises tariffs.

If America raises tariffs, then American businesses will pay more for their industrial inputs than will businesses in other countries. American businesses will become less competitive, lose sales, and lose jobs. Once again, the American economy will be smaller, if America raises tariffs.

No, the answer to how America can compete with that factory in Shanghai is not protectionism.

The way that we can get paid $37,000 for our work—when Chinese workers are willing to work for $2,000—is for Americans to add more value. Americans earn more because we produce better. Americans produce smarter.

And that means that for us to remain economic leaders of the world, Americans need to stay smarter. We need to educate our children and our workers so that American workers can add more value in an hour of work than workers in any other place in the world.

Knowledge will be economic power.

Ensuring that we continue to have more knowledge than the Chinese will not be easy. China has worked on its education system. Nine out of ten Chinese can read.

It is very Chinese to take the long view. More than 2,600 years ago, the master Kuan Chung said:

> If you plan for a year, plant a seed. If for 10 years, plant a tree. If for a hundred years, teach the people. When you sow a seed once, you will reap a single harvest. When you teach the people, you will reap a hundred harvests.

We need to plant those seeds of education and tend those young saplings, in our public schools. In 1835, the Supreme Court Justice Joseph Story wrote:

> Every successive generation becomes a living memorial of our public schools, and a living example of their excellence.

Ensuring that our schools are a living example of excellence will take more than just money. But ensuring that our schools are a living example of excellence will take money, as well.

We need to ensure that children can come to school ready to learn. We need to ensure that children have modern and well-equipped schools. We need to ensure that children have small classes. And most importantly, we need to ensure that children have good teachers.

In the next decade, America will need to hire 2 million new teachers. One in five new teachers leave teaching within three years. In urban schools, half of teachers leave the profession within 5 years.

Nearly two out of five low-income children are taught by teachers without a college degree in their primary instructional field. Low-income students are taught by more teacher's aides than credentialed classroom teachers. Four out of five aides do not have a 4-year college degree.

Columnist Tom Friedman wrote recently:

> We are heading into an age in which jobs are likely to be invented and made obsolete faster and faster. The chances of today's college kids working in the same jobs for the same companies for their whole careers are about zero. In such an age, the greatest survival skill you can have is the ability to learn how to learn. The best way to learn how to learn is to love to learn, and the best way to love to learn is to have great teachers who inspire. And the best way to ensure that we have teachers who inspire their students is if we recognize and reward those who clearly have done so.

We need to give good teachers the recognition that they deserve. Friedman told how every year, Williams College honors four high school teachers who made a difference. Every year, members of its senior class nominate their best high school teachers. A committee at Williams then goes through the nominations, does its own research, and chooses the four most inspiring teachers.

Williams gives each of the teachers $2,000, plus a $1,000 donation to the teacher's high school. And Williams flies the winners and their families to the college to honor them at graduation.

Williams's president, Morton Schapiro, told Friedman: ''We take these teachers, who are not well compensated and often underappreciated, and give them a great weekend.''

Said Shapiro: ''Every time we do this, one of the teachers says to me, 'This is one of the great weekends of my life.' ''

It's a great idea.

Each of us can do our part. I have started a program that will recognize Montana teachers acknowledged for excellence. This is something that all Senators can do in their home States. A little recognition can go a long way.

But if knowledge is power, then we must also devote the resources necessary to maintain that power.

Columnist Matt Miller argues: ''The answer is to think bigger.'' He suggests that we make the best teachers millionaires by the time that they retire.

Miller proposes a ''grand bargain'' where we raise salaries for teachers in

poor schools by 50 percent. And in return, teachers would agree to change their pay scale so that we could raise the top performers and those in math and science another 50 percent.

Miller, who used to work at the Office of Management and Budget, calculates that his plan would cost about $30 billion a year. That would provide a 7 percent increase in the nation's K-through-12 spending.

I ask my colleagues: Why don't we invest $30 billion for top teachers, and pay for it by closing abusive tax shelters?

And we need to help students to learn math and science. Companies are moving jobs offshore to China, India, and Eastern Europe not only because workers there work for less, but also because they are well educated in math and science.

Sadly, American high school students now perform below most of the world on international math and science tests. Most have little interest in pursuing scientific fields. Only 5.5 percent of the high school seniors who took the college entrance exam in 2002 planned to pursue an engineering degree. We have to do more to encourage students to love to learn math and science.

And we need to help students to learn geography and languages. Visit a primary school in a middle-sized Chinese city. Bright, enthusiastic children will greet you in English. Chinese schools are preparing students to compete in a multinational, multilingual world economy. The coming generation of Chinese businesspeople will do business around the world. Americans need to broaden our linguistic and geographic abilities, or Chinese businesspeople will cut the deals before us. As our former Colleague Bill Bradley said in 1988, ''If we are going to lead the world, we have to know where it is.''

And after school, almost 6 million latch-key children go without access to after-school learning opportunities. More than seven in ten mothers of children under 18 are in the workforce. America can no longer afford a school day based on 1950s family structures. Quality after-school programs can both keep children safe and improve academic achievement. We need to ensure that children have quality after-school programs.

Similarly, we continue to have a school year that reflects the harvest schedule of an agrarian economy that America long ago left behind. Long summer vacations mean reading levels drop and other learning is lost.

Schools like Des Moines's Downtown School point to another way. They have a six-week summer break. And that means less time to forget. Besides six weeks in the summer, students also have week-long breaks in October, February, and May.

Jan Drees, the principal of the Downtown School, says: ''The research is becoming more and more clear that students retain more learning and need less review with shorter summer breaks.''

The Downtown school is popular, too. More than 800 children are on a waiting list to get into the school.

Iowa law requires schools to provide a minimum of 180 instructional days a year. But the Downtown School teaches students for 192 days a year. They are getting more learning in, every year. For Americans to stay smarter, students should spend more of the school year in school.

China's increasing competitive strength is also fueled by its growing population of college graduates. Last year, nearly 3 million Chinese entered the workforce from 3- and 4-year colleges and graduate programs. This is one-third more than the year before, and double the year before that.

America's college system is the finest in the world. And the work of the 21st century increasing demands good college education. But rising college costs increasingly bar Americans from getting the college education for which they are qualified.

We must make college affordable for all. We need to ensure that young Americans are not discouraged from obtaining post-secondary education because of costs. Tuition costs have risen considerably in recent years. And federal assistance programs have not kept pace.

Pell Grants help to make college education affordable for 5 million students, a third of American undergraduates. But students receive grants averaging just $2,500 a year, while the average annual cost of tuition at a public college in-state averages more than $9,000 a year, and private college averages more than $23,000 a year. The most that a student can get in Pell Grants is $4,050 a year. Expanding Pell Grants would increase the ability of low-income young Americans to prepare for the 21st century.

As well, we should improve, consolidate, and expand the government's education tax incentives to make them more effective. We could expand and extend the deduction for tuition expenses. We could expand the Hope and Lifetime Learning credits. We could craft targeted incentives for students pursuing science and engineering careers. We could do more to make it possible for non-traditional students to obtain an education. There are many good options.

As with elementary school students, we need to help encourage college students to learn the subjects needed in the 21st century.

In 1975, America ranked third in the world in the share of 24-year-olds who held a science or engineering degree. By 2000, we had slipped to 15th. By 2004, we were 17th. And in the future, the Department of Labor projects that new jobs requiring science, engineering, and technical training will increase four times faster than the average national job growth rate.

Last year, China produced 220,000 new engineers, while America educated just 60,000. And America trains only half as many engineers as Japan and Europe.

In a recent report, McKinsey Global Institute found that there are already twice as many young university-trained professionals in low-wage countries as in high-wage countries. China has twice as many young engineers as America.

Engineers play a critical role in the development of new jobs and new industries. We should increase scholarships and loan forgiveness for engineering students to entice more people to love to learn engineering.

At that Shanghai factory, American and Japanese research and development stand behind many of the products being built. But ask the American or Japanese company their plans, and they will tell you that they plan to move R&D work closer to the plant, there in China. And Shanghai's government hopes to lure more R&D to town. Chinese business understands that innovation is the source of American value-added. And they want part of that action, too.

Clive Cookson reported in the Financial Times about a bioscience park outside Beijing. A firm there called CapitalBio is emerging as a world leader in the new technology of biochips. Biochips are cutting-edge devices that combine biotechnology and electronics for biological testing and medical diagnostics. The 4-year-old company is already selling instruments to American drug companies.

Last month, CapitalBio entered into a partnership with Affymetrix in California, the world's largest biochip producer. CapitalBio's chief executive said: ''Affymetrix had never imagined that there was such a big research effort in biochips in China, working to such a high standard.''

Dozens of similar examples exist. Already, several Asian countries boast of such science and technology centers. They are following in Japan's wake as world-class centers for research and development.

Asia's R&D investment and scientific output have both surged rapidly. Between 1998 and 2003, China's research and development spending roughly tripled.

You can judge a scientific paper's effect by how often other researchers cite it. The number of frequently-cited Chinese research papers has risen from just 21 in 1994 to 223 in 2003. And China's contribution to the world's scientific journals has increased from less than half a percent in 1981 to more than 5 percent in 2003.

And Chinese researchers will do research for less cost. Newly-graduated researchers in China generally earn about a quarter of what Americans do. For more senior staff, salaries are usually at least half American salaries. And in exceptional cases, they can sometimes exceed ours.

Chinese scientists who have returned after studying and working in the west are playing an important role. In Beijing, CapitalBio's CEO said that he

''made a special effort at the beginning to attract [Chinese expatriates] from abroad, with salary and stock options. We offered at least to match the salaries that senior scientists were receiving; the highest we offered was $120,000 a year,'' he said.

So far, Asia has been able to make a global mark only in a few new areas of the life sciences where western expertise is not entrenched. Stem cell technology is an example. South Korea, China, Singapore, and India are racing ahead on stem cell research. Those countries accept human embryo research in a way that the American government has not.

But America still has an advantage in innovation. And America also benefits from a risk-taking entrepreneurial culture. You can see it in the venture capital that funds companies spun out of American research laboratories or universities. America's capital markets remain the envy of the world.

We can help to maintain that edge in innovation by supporting research. American universities and research institutes do much of the most innovative research in the world.

But over the last 20 years, Federal research funding in the physical sciences and engineering has declined by nearly a third as a share of the economy.

We should reverse this trend and increase Federal spending on basic research. The money we spend will come back to us many times over in the creation of new jobs in new industries making products yet to be invented.

We should support the National Science Foundation. The NSF funds research and education in science and engineering through a variety of successful programs. It accounts for a fifth of all Federal support to academic institutions for basic research, a crucial engine of innovation.

NSF funds have helped discover new technologies that have led to multi-billion dollar industries and millions of new jobs. NSF-funded work in the basic sciences and engineering made possible fiber optics, radar, wireless communication, nanotechnology, plant genomics, magnetic resonance imaging, ultrasound, and the Internet.

Each year, the NSF helps fund over 200,000 students, teachers, and researchers. Many of them take their NSF-supported work into industry. They found start-up companies selling new products and new technologies.

In addition, we should make it easier—consistent with the requirements of national security—for foreign students to study in America. America has traditionally poached many of the best and brightest students from around the globe. Well over a third of American science and engineering doctorate holders were born abroad.

Since 9/11, however, many students are having a difficult time getting visas to study in America. In 2004, foreign applications to American graduate schools declined by 28 percent. Enrollments of foreign students at all levels of college declined for the first time in 30 years.

Foreign students are increasingly studying in Europe and elsewhere. That is a terrible loss. It will affect our economic health in the long-term. We need to do a better job balancing security and economic health.

America must not compromise on its security needs in hosting foreign businesspeople or foreign students. But there must be ways to streamline visa procedures and otherwise lighten the burden. We need to make it easier for foreigners to study and conduct business in America.

We should support community colleges, and strengthen the link between them and the workforce. That will allow schools to develop training programs relevant to jobs in the real world. That is a primary goal of the Enzi-Baucus Higher Education Access, Affordability and Opportunity Act.

And when American jobs are lost to trade, we need to retrain people and help them to get back into the workforce. The philosopher and educator John Dewey said, ''Education is not preparation for life; education is life itself.'' We can no longer afford to think of education as something just for the young.

We need to help displaced workers to receive the retraining that they need to succeed in a changing economy. Jobs will change. We should help workers to get the educational tools to change with those jobs.

That is why I joined with Senators WYDEN and COLEMAN to introduce legislation to expand Trade Adjustment Assistance to service workers who lose their jobs because of trade. TAA is a vital means of helping displaced workers get the education to change careers and stay productive.

When Plato envisioned the ideal society in his work The Laws, he wrote of the importance of education, through the course of life. He wrote:

> [N]owhere should education be dishonored, as it is first among the noblest things for the best men. If it ever goes astray, and if it is possible to set it right, everyone ought always to do so as much as he can, throughout the whole of life.

And so, through advancing education, America can compete with that factory in Shanghai. Through advancing education, America can respond to competition, without erecting harmful barriers to trade. And through advancing education, America can respond to a growing China, without forcing confrontation with China.

University of California economist Brad DeLong wrote of the choice that we face in how we address the challenge of China. He wrote:

> A world 60 years from now in which Chinese schoolchildren are taught that the U.S. did what it could to speed their economic growth is a much safer world for my great-grandchildren than a world in which Chinese schoolchildren are taught that the U.S. did all it could to keep China poor.

Through advancing education, America can seek that safer world.

But perhaps most importantly, America should seek to advance education not just to preserve our economy, but also to preserve our freedom.

As Senator Daniel Webster said in a speech in 1837, ''On the diffusion of education among the people rest the preservation and perpetuation of our free institutions.''

As Thomas Jefferson wrote in 1816, ''If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be.''

And as the Phrygian philosopher Epictetus said, ''Only the educated are free.''

And so, let us advance education to preserve our economic power.

Let us advance education to win the race for economic leadership.

And most importantly, let us advance education to help preserve our American democracy.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I appreciate the Senator from Arkansas allowing me to either call up or offer three specific amendments.

AMENDMENT NO. 1048

Mr. KYL. Mr. President, I call up, on behalf of Senator SMITH, amendment No. 1048.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

> The Senator from Arizona [Mr. KYL], for Mr. SMITH, proposes an amendment numbered 1048.

Mr. KYL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

> (Purpose: To require the Secretary of Agriculture to report to Congress on the rehabilitation of the Biscuit Five area of southern Oregon)
>
> **SEC.——. BISCUIT FIRE RECOVERY PROJECT, REPORT.**
>
> (a) Within 90 days of enactment of this Act, the Secretary of Agriculture shall submit to Congress a report regarding the rehabilitation of the Biscuit Fire area in southern Oregon, including:
>
> (1) the change in reforestation capabilities and costs between the date of the containment of the Biscuit Fire and the completion of the Biscuit Fire Recovery Project, as detailed in the Record of Decision;
>
> (2) the commercial value lost, as well as recovered, of fire-killed timber within the Biscuit Fire area; and
>
> (3) all actions included in the Record of Decision for the Biscuit Fire Recovery Project, but forgone because of delay or funding shortfall.

AMENDMENT NO. 1049

Mr. KYL. Mr. President, I call up, on my behalf, amendment No. 1049.

The PRESIDING OFFICER. Without objection, the last amendment will be set aside. The clerk will report.

The legislative clerk read as follows:

> The Senator from Arizona [Mr. KYL] proposes an amendment numbered 1049.

Mr. KYL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide certain earmarks for State and tribal assistance grant funds)

On page 195, line 9, after the semicolon, insert the following: ''$500,000 shall be for debt retirement for the State Water Pollution Control Revolving Fund for the wastewater treatment plant in Safford, Arizona; $3,000,000 shall be for the expansion of the wastewater treatment plant in Lake Havasu City, Arizona; $1,000,000 shall be for the expansion of the wastewater treatment plant in Avondale, Arizona;''.

AMENDMENT NO. 1050

Mr. KYL. Mr. President, I ask that the pending amendment be laid aside, and I call up amendment No. 1050.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 1050.

Mr. KYL. Mr. President, I ask unanimous consent that the reading of that amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the formula for the allotment of grants to States for the establishment of State water pollution control revolving funds)

On page 254, after line 25, add the following:

SEC. 4_____. Section 604 of the Federal Water Pollution Control Act (33 U.S.C. 1384) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by striking subsection (a) and inserting the following:

''(a) DEFINITIONS.—In this subsection:

''(1) NEEDS SURVEY.—The term 'needs survey' means a need survey under section 516(2).

''(2) NEEDS SURVEY PERCENTAGE.—The term 'needs survey percentage', with respect to a State, means the percentage applicable to the State under a formula for the allotment of funds made available to carry out this section for a fiscal year to States in amounts determined by the Administrator, based on the ratio that—

''(A) the needs of a State described in categories I through VII of the most recent needs survey; bears to

''(B) the needs of all States described in categories I through VII of the most recent needs survey.

''(3) STATE.—The term 'State' means—

''(A) a State;

''(B) the District of Columbia; and

''(C) the Commonwealth of Puerto Rico.

''(b) ALLOCATIONS.—

''(1) IN GENERAL.—Funds made available to carry out this section for a fiscal year shall be allocated by the Administrator in accordance with this subsection.

''(2) INDIAN TRIBES.—Of the total amount of funds available for a fiscal year, the Administrator shall reserve, before making allotments to States under paragraph (4), not less than 1.5 percent of the funds to be allocated to Indian tribes (within the meaning of section 518(c)).

''(3) CERTAIN TERRITORIES AND FREELY ASSOCIATED STATES.—Of the total amount of funds made available for a fiscal year, 0.25 percent shall be allocated to and among, as determined by the Administrator—

''(A) Guam;

''(B) American Samoa;

''(C) the Commonwealth of the Northern Mariana Islands;

''(D) the Federated States of Micronesia;

''(E) the Republic of the Marshall Islands;

''(F) the Republic of Palau; and

''(G) the United States Virgin Islands.

''(4) STATES.—

''(A) TARGET ALLOCATION.—Each State shall have a target allocation for a fiscal year, which—

''(i) in the case of a State for which the needs survey percentage is less than 1.0 percent, shall be 1.0 percent; and

''(ii) in the case of any other State, shall be the most recent needs survey percentage.

''(B) UNALLOCATED BALANCE.—Any unallocated balance of available funds shall be allocated in equal parts to all States that, in the most recent needs survey, report higher total needs both in absolute dollar terms and as a percentage of total United States needs.''.

AMENDMENT NO. 1051

Mr. KYL. Mr. President, on behalf of Senator INHOFE, I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. KYL], for Mr. INHOFE, proposes an amendment numbered 1051.

Mr. KYL. Mr. President, I ask unanimous consent that the reading of that amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To encourage competition in assistance agreements awarded by the Environmental Protection Agency)

On page 200, after line 2, add the following:

SEC. .

None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to award assistance agreements to national organizations that represent the interests of State, tribal, and local governments unless the award is subject to open competition.

Mr. KYL. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I rise today to thank the chairman, Senator CONRAD BURNS, and the ranking member, Senator BYRON DORGAN, of the Appropriations Subcommittee on the Interior for their support of a project that is most important to me: the National Park Service's Little Rock Central High School Museum and Visitors Center.

Due to Senator BURNS' and Senator DORGAN's ongoing efforts, the new Little Rock Central High Museum and Visitors Center is back on track to be built for the 50th anniversary of the 1957–1958 Little Rock desegregation crisis. I thank the subcommittee staff, Bruce Evans and Peter Kiefhaber, for their help as well in making this project a reality.

This is important because in September of 2007, it is anticipated that we will have a very large 50th anniversary commemoration and celebration of the Little Rock Central High School desegregation crisis. Hopefully, one of the things that we will have there to showcase is a brand new visitors center that will allow people to learn about not only Little Rock Central High and the role it played in integration, but also learn about the civil rights movement in general.

I remind my colleagues and others listening about the events that took place at Little Rock Central High almost 50 years ago.

Little Rock Central High School was a place in 1957 where nine Black teenagers integrated the all-White Central High in Little Rock, testing the Brown v. Board of Education Supreme Court decision that ultimately ended legal segregation in our schools in this Nation.

To its credit, the Little Rock School Board took Brown v. Board of Education seriously. When the Supreme Court said ''all deliberate speed,'' they took that literally. They looked at their calendars and thought: That decision came out in 1954. They probably thought they could not get it done in 1955, probably not in 1956, but in the fall of 1957, they made the determination that they could have the high school in Little Rock ready to integrate.

As these nine teenagers attempted to enter the doors of Central High School, they were confronted with an angry, rampaging mob. President Eisenhower was forced to order Federal troops to Little Rock to end the brutal intimidation campaign mounted against the Black children and to uphold the Brown decision.

The Little Rock Nine—Ernest Green, Elizabeth Eckford, Gloria Ray Karlmark, Carlotta Walls LaNier, Minnijean Brown Trickey, Terrence Roberts, Jefferson Thomas, Thelma Mothershed Wair, and Melba Pattillo Beals—changed the course of American history by claiming the right to receive an equal education.

I must not let the moment pass without mentioning the amazing courage exhibited by Daisy Bates of Little Rock who was a civil rights leader and, by all accounts, was a key person in making equal education a reality in Arkansas and also in the Nation.

Little Rock Central High School Museum and Visitors Center will provide America with an understanding of the events of 1957 and 1958, the broader civil rights movement, and how the bravery of the Little Rock Nine still influences life in the 21st century. It will teach our youth that nine young high school students proved that all men are created equal and that the rule of law is paramount in the democracy of the United States. It will remind the world that children all over America have the right to learn because of the courage and the sacrifice of the Little Rock Nine.

We have been racing against time to secure the funds to build the center in time for the 50th anniversary of the crisis. On June 9 of this year, I had the privilege of having a conference call with eight of the nine. By the way, all

nine are still living. I had the privilege of having a conference call with eight of the nine and reporting news that Senator BURNS and Senator DORGAN had provided the crucial $5.1 million for the Central High center in this year's bill.

The joy expressed by the Little Rock Nine made me once again reflect on their acts of courage and heroism. Their gratitude made me reflect on their continuing self-sacrifice and the importance of our—the Senate's—support to share their story with our current generation and generations to follow.

In the words of Minnijean Brown Trickey, the funds in this bill are ''an affirmation of a very beautiful and tragic story.''

Carlotta Walls LaNier said:

With this museum, visitors will remember the events of 1957, but more importantly understand the difference individuals can make in promoting equal rights and tolerance.

On behalf of Little Rock Nine, the Arkansas delegation, and the Nation, I express my deepest gratitude for the support of Little Rock Central High School Museum and Visitors Center. I thank my colleagues for ensuring that these extraordinary achievements are recorded and shared for a better America.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, while the Senator from Arkansas is on the floor, I want to mention to him how pleased I was to play a very small role in getting funding for this and give him a little background of why I have had a special interest in this.

One of the more inspirational things I ever attended was in the East Room at the White House, perhaps some 5 years ago, an event at which President Clinton had invited the Little Rock Nine. There they sat, these nine people, on a riser in the East Room of the White House as part of a celebration of the 45th anniversary of when those then-nine young children marched into the Little Rock school and integrated the Little Rock school.

That integration was ordered by Judge Ronald Davies of North Dakota. He was a Federal judge who was from the Fargo Federal district in North Dakota who traveled to Little Rock, AR, and issued the landmark ruling that resulted in the integration of that school.

I was privileged to name a courthouse, in legislation, after Judge Ronald Davies about 5 years ago because I wanted North Dakotans to long remember this man. He was a short fellow, 5 foot 2, perhaps. He strutted around with great flair, but was a remarkable Federal judge by all accounts and issued a courageous decision. He was, in fact, required to have security because of threats on his life when he issued the landmark civil rights decision that required the integration of that school.

With respect to the story, I want to read a couple paragraphs from Prairie Public Television in North Dakota. They did an interview with the judge's family. It talked about when Judge Davis and Governor Faubus were deadlocked and the nine students were still not in school. There was an injunction that had been ordered.

On September 20th, Davies ruled that Faubus used the National Guard to prevent integration, not to prevent violence, and the governor was forced to withdraw the troops. The situation was now in the hands of the Little Rock Police Department.

There was a mob of a thousand people outside Central High School when those young students were ushered in. Everyone will recall the Norman Rockwell portrait of a young Black schoolgirl in pigtails and knee socks holding the hand of a U.S. Marshal walking into the Little Rock public school.

The crowd learned the students were inside, and out of fear for their safety, the police then evacuated them. President Eisenhower issued a special proclamation that evening, calling for opponents of integration to ''cease and desist.''

. . . The next morning, Little Rock's mayor sent the president a telegram asking him to send troops to maintain order.

President Eisenhower sent 10,000 Arkansas National Guard and 1,000 members of the 101st Airborne. Those young students the next day, under heavy guard with substantial military around the city, entered Little Rock Central High School.

I tell my colleague that only to say that Judge Ronald Davies, this Federal judge from North Dakota, played a very pivotal role in making that day happen with his ruling and paid quite a price for it at the time, with threats on his life and anger about what he had done.

But 45 years after that Little Rock day, sitting in that room with now middle-aged African Americans, to understand the courage it must have taken not just for them, especially them, but their parents, that they forced this issue, not just on behalf of these students but on behalf of all in this country who were similarly situated and similarly mistreated. I could not feel more strongly and feel more inspired about what this center will mean to those nine, to both Senators from Arkansas, but also to the relatives of Judge Davies and so many others who had a role in making this event happen that has literally changed the lives of a good many Americans.

I heard the Senator speak and wanted to acknowledge his appreciation and say that we are the ones really who appreciate the opportunity to do this.

Mr. PRYOR. I thank the Senator. I thank the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 1052

Mr. BYRD. Mr. President, our country is now involved in two wars—not one, two wars; one in Afghanistan and the other in Iraq. Each day we read in the newspapers about the human toll this nation is paying. As of today, 1,730 troops, men and women, have been killed in Iraq; 194 have been killed in Afghanistan and elsewhere. The toll of these wars is also borne by those men and women who carry the scars of battle.

In Iraq, more than 13,000 troops have been wounded. In Afghanistan, 476 troops have shed their blood in service to our country. The American people thank these servicemembers for their sacrifice. However, late last week, Congress learned that the Department of Veterans Affairs has been shortchanged in its mission to provide medical care to these warriors and all of the other men and women who have served in time of war before them.

Now, this is a shame. This is a sham. If our Nation owes just one thing to all of those men and women who have risked their lives in answer to our country's call, it surely must be, in the words of Abraham Lincoln, ''to care for him who shall have borne the battle.''

It is a shock that the administration has only now revealed it has not budgeted the funds to fulfill this mission. I offer an amendment this afternoon on behalf of Senator PATTY MURRAY, myself, and Senator FEINSTEIN to provide $1.42 billion in emergency funds to address the shortfall in health care funds for the Department of Veterans Affairs. Of this figure, $600 million would be used to reimburse VA construction accounts that have been raided to pay for health care costs. Another $400 million would be used to reimburse other accounts that have been raided for the same purpose.

Finally, an additional $420 million is included to compensate each Veterans and Integrated Service Network, or VISN, for the additional expenses incurred because of the high caseload of wounded veterans. This $1.42 billion is urgently needed and the Senate must not delay in providing the funds that are required to allow our veterans to see their physicians at the Department of Veterans Affairs.

Earlier this year, the Senate rejected on a nearly party-line vote an amendment to the Iraq supplemental appropriations bill to add funding to VA health care. The administration told Congress additional funds were not needed to care for our Nation's veterans. We now know this claim was wrong. According to the estimate provided to Congress by the Department of Veterans Affairs, VA funding is short $1 billion this year. Congress must act to care for our veterans. When it comes to our veterans health care, half a loaf is not good enough.

Some may argue against this amendment by urging the Senate to wait for the administration's plan. However, according to VA testimony before the House of Representatives last week, the administration intends to respond to the shortfall on the cheap by robbing Peter to pay Paul. We have already waited too long for the administration to recognize the needs of our

veterans. The Murray-Byrd-Feinstein amendment is the Senate's opportunity to end this year's shortchanging of veterans.

I ask unanimous consent that the pending amendment be set aside so that I may send to the desk this amendment offered by me on behalf of Mrs. MURRAY, for herself, myself, and Mrs. FEINSTEIN.

The PRESIDING OFFICER. Without objection, the amendment is set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD] for Mrs. MURRAY, for herself, Mr. BYRD, and Mrs. FEINSTEIN, proposes an amendment numbered 1052.

Mr. BYRD. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for the Veterans Health Administration)

On page 254, after line 25, add the following:

SEC. 429.(a) From any money in the Treasury not otherwise obligated or appropriated, there are appropriated to the Department of Veterans Affairs $1,420,000,000 for the fiscal year ending September 30, 2005, for medical services provided by the Veterans Health Administration, of which $420,000,000 shall be divided evenly between the Veterans Integrated Service Networks.

(b) The amount appropriated under subsection (a)—

(1) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress); and

(2) shall remain available until expended.

(c) This section shall take effect on the date of enactment of this Act.

AMENDMENT NO. 1053

(Purpose: To provide funds for the memorial to Martin Luther King, Jr.)

Mr. BYRD. Mr. President, the greatness of women and men is often best judged from an historical perspective. History gives us the detached perspective that allows us to better understand and appreciate the person, the cause, and the legacy.

This happens because great individuals often have been leaders who challenged the status quo as they pushed the country into areas where it had feared to go. As a result, such leaders often arouse criticism and opposition.

The Revered Dr. Martin Luther King certainly was a controversial figure in his own time.

Black power advocates attacked him for moving too slowly, while more than one presidential administration attacked him for moving too swiftly.

The NAACP criticized his take-to-the-streets tactics.

Civil rights leaders broke with Dr. King because of his opposition to the Vietnam War.

I certainly had my share of differences with Reverend King—a lot of them. We were both products of our times, and both of us were doing what we believed was right.

But time and the march of history afford a better understanding of Dr. King and his contributions toward making the United States a better, stronger, and greater Nation.

It is for this reason, I am proposing that $10 million in funding be made available for the memorial to Dr. Martin Luther King, Jr. This $10 million, which is available within the subcommittee's allocation, would supplement the approximately $42 million that has already been raised and stands as a solid foundation to help make this memorial a reality.

I have come to appreciate how Martin Luther King, Jr., sought to help our Nation overcome racial barriers, bigotry, hatred, and injustice, and how he helped to inspire and guide a most important, most powerful, and most transforming social movement.

Despite the hatred and the bigotry he encountered in his efforts, Dr. King never allowed his movement to be reduced to a simple racial conflict. He stressed on more than one occasion, that the struggle was not one between people of different colors. Rather, Dr. King believed that his fight was a fight ''between justice and injustice, between the forces of light and the forces of darkness.''

His vision and his movement included all Americans. I remind my colleagues, and all Americans, that when Martin Luther King stood on the steps of the Lincoln Memorial and proclaimed that he had ''a dream,'' he pointed out that he also looked forward to the time ''when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands.''

I remind my colleagues that Dr. King's efforts also focused on the economic rights of economically deprived people of all races and creeds, as well as on the civil rights of African Americans. In this quest, he proposed a Bill of Rights for the Disadvantaged. He advocated a guaranteed national income. At the time of his death, Dr. King was organizing a ''Poor Peoples March'' on Washington, an effort meant to focus national attention on poverty among not only African-Americans, but among the poor whites of Appalachia, as well.

Dr. King's vision was not only about what America could be, but what America should be.

With the passage of time, we have come to learn that his dream was the American dream, and few ever expressed it more eloquently.

Dr. King touched the conscience of a Nation, and forced us, as a country, to confront our contradictions. How could the United States present itself as the leader of the free world, he asked, while denying equality and equal opportunity to a large segment of our own people? In his book, ''Where Do We Go from Here,'' Dr. King asked why 40 million Americans were living in poverty in ''a nation overflowing with unbelievable affluence.'' Writing of the destructive effects of militarism, he asked: ''Why [has] our nation placed itself in the position of being God's military agent on earth?'' ''Why have we substituted the arrogant undertaking of policing the whole world for the high task of putting our own ''house in order?''

With his works as well as his words, Dr. King left us a legacy that inspires and guides millions of Americans today. It is a legacy that demonstrates that human problems, no matter how big or complex, can be addressed—a legacy that proves that one determined person can help make a difference.

Amid all his successes and triumphs, and all of his personal accomplishments, including receiving the Noble Peace Prize, Dr. King always kept his perspective. The night before he was assassinated, he explained: ''I just want to do God's will.'' What a powerful statement this was: ''I just wanted to do God's will.'' What an inspiration it should be to all of us: ''To do God's will.''

Criticized, denounced, and opposed in his own time, Martin Luther King has become not only an American icon, but also an international symbol of social justice, and one of recent history's most beloved champions of freedom.

Mr. President, we have named a National Holiday in his honor. It is just and proper that we now place a memorial on The Mall of the Nation's Capital as a visible and tangible symbol of the thanks of a grateful nation. Martin Luther King taught us tolerance. How we need such teachings today. May his life, his legacy, and someday soon, his memorial ever remind us of his vision.

I am about to offer an amendment, and Senator COCHRAN, the illustrious chairman of the Appropriations Committee in the Senate, is the principal cosponsor of the amendment that I will offer, so it is bipartisan. I thank Senator COCHRAN, and I hope that many other Senators will join us in this effort to honor Dr. King.

Mr. President, I ask unanimous consent that the pending amendment or amendments be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. That I may offer this amendment on behalf of myself and Senator COCHRAN. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from West Virginia [Mr. BYRD], for himself and Mr. COCHRAN, proposes an amendment numbered 1053:

On page 189, after line 20, add the following:

SEC. 128. (a) For necessary expenses for the Memorial to Martin Luther King, Jr., there is hereby made available to the Secretary of the Interior $10,000,000, to remain available until expended, for activities authorized by section 508 of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 8903 note; Public Law 104–333).

(b) Section 508(c) of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 8903 note; Public Law 104–333) is amended by striking the second sentence.

(c) Notwithstanding any other provision of this Act, the amount reduced in Title I in

the second proviso under the heading Departmental Management, Salaries and Expenses, is further reduced by $10,000,000.

Mr. BYRD. Mr. President, I thank the Chair. I thank the clerk, and I thank our distinguished chairman of the Senate Appropriations Committee, Senator COCHRAN.

Now I ask unanimous consent that Senator KERRY be added as a cosponsor on the veterans amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I yield the floor. I thank all Senators.

AMENDMENTS NOS. 1054, 1055, 1056, 1057, AND 1058, EN BLOC

Mr. DORGAN. Mr. President, let me send the amendments to the desk. I have five amendments that I submit on behalf of Senator BINGAMAN. Let me ask first that the pending amendment be set aside by consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Let me by consent submit five amendments and ask that they be numbered separately and separately considered on behalf of Senator BINGAMAN.

The PRESIDING OFFICER. Without objection, the clerk will report the amendments.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. BINGAMAN, proposes en bloc amendments numbered 1054, 1055, 1056, 1057, and 1058.

Mr. DORGAN. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 1054

(Purpose: To set aside additional amounts for Youth Conservation Corps projects)

On page 130, line 2, strike ''$1,000,000'' and insert ''$1,250,000''.

On page 138, line 7, strike ''$2,000,000'' and insert ''$2,500,000''.

On page 146, line 19, strike ''$1,937,000'' and insert ''$2,500,000''.

On page 211, line 25, strike ''$2,000,000'' and insert ''$2,500,000''.

AMENDMENT NO. 1055

(Purpose: To provide for the consideration of the effect of competitive sourcing on wildland fire management activities)

On page 250, between lines 23 and 24, insert the following:

(e) In carrying out any competitive sourcing study involving Forest Service employees, the Secretary of Agriculture shall—

(1) determine whether any of the employees concerned are also qualified to participate in wildland fire management activities; and

(2) take into consideration and document the effect that contracting with a private sector source would have on the ability of the Forest Service to effectively and efficiently fight and manage wildfires.

AMENDMENT NO. 1056

(Purpose: To strike the title providing for the disposition of Forest Service land and the realignment of Forest Service facilities)

Beginning on page 255, strike line 1 and all that follows through page 263, line 22.

AMENDMENT NO. 1057

(Purpose: To extend the Forest Service conveyances pilot program)

Beginning on page 255, strike line 1 and all that follows through page 263, line 22, and insert the following:

SEC. 4_____. Section 329 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (16 U.S.C. 580d note; Public Law 107–63) is amended—

(1) in subsection (b), by striking ''40 sites'' and inserting ''60 sites'';

(2) in subsection (c), by striking ''13 sites'' and inserting ''25 sites''; and

(3) in subsection (d), by striking ''2008'' and inserting ''2009''.

AMENDMENT NO. 1058

(Purpose: To provide a substitute for title V)

(The amendment is printed in today's RECORD, under ''Text of Amendments.'')

Mr. DORGAN. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1059

Mr. DORGAN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H.R. 2361 amendment No. 1059.

Mr. DORGAN. Mr. President, I send an amendment to the desk on behalf of myself and ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN] proposes an amendment numbered 1059.

Mr. DORGAN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To facilitate family travel to Cuba in humanitarian circumstances)

SEC.——. FAMILY TRAVEL TO CUBA IN HUMANITARIAN CIRCUMSTANCES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Treasury shall issue a general license for travel to, from, or within Cuba to any person subject to the jurisdiction of the United States (and any member of the person's immediate family) for the purpose of visiting a member of the person's immediate family for humanitarian reasons.

(b) DEFINITIONS.—In this section:

(1) MEMBER OF THE PERSON'S IMMEDIATE FAMILY.—The term ''member of the person's immediate family'' means—

(A) the person's spouse, child, grandchild, parent, grandparent, great-grandparent, uncle, aunt, brother, sister, nephew, niece, first cousin, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law, or brother-in-law; or

(B) the spouse, widow, or widower of any relative described in subparagraph (A).

(2) HUMANITARIAN REASONS.—The term ''humanitarian reasons'' means—

(A) to visit or care for a member of the person's immediate family who is seriously ill, injured, or dying;

(B) to make funeral or burial arrangements for a member of the person's immediate family;

(C) to attend religious services related to a funeral or a burial of, a member of the person's immediate family.

Mr. DORGAN. Mr. President, I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1060

Mr. DORGAN. I offer an amendment on behalf of Senator LANDRIEU and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Ms. LANDRIEU, proposes an amendment numbered 1060.

Mr. DORGAN. I ask unanimous consent to dispense with the reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Page 147, line 25 strike $72,500,000 and insert $67,000,000.

Page 148, line 1 after 2007, insert ''of which $3,500,000 is for Historically Black Colleges and Universities.

Page 172 line 4 strike $10,000,000 and insert $13,500,000.

Mr. DORGAN. I ask unanimous consent the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1061 AND 1062, EN BLOC

Mr. DORGAN. I send to the desk two amendments I offer on behalf of Senator OBAMA and ask for their consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for Mr. OBAMA, proposes amendments numbered 1061 and 1062, en bloc.

Mr. DORGAN. I ask unanimous consent the reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

AMENDMENT NO. 1061

At the appropriate place insert:

SEC. ____. None of the funds made available in this Act may be used in contravention of 15 U.S.C.§ 2682(c)(3) or to delay the implementation of that section.

AMENDMENT NO. 1062

At the appropriate place insert:

Provided, That of the funds made available under the heading ''Environmental Programs and Management,'' not less than $100,000 shall be made available to issue the proposed rule required under 15 U.S.C. §2682(c)(3) by November 1,2005, and promulgate the final rule

required under 15 U.S.C. 2682(c)(3) by September 30, 2006.

AMENDMENTS NOS. 1033, 1024, 1028, 1035, 1041, EN BLOC

Mr. BURNS. Mr. President, we have some amendments we can accept. I ask unanimous consent that the amendment offered by Mr. ENSIGN, 1033; Mrs. FEINSTEIN, 1024; the majority leader, Mr. FRIST, 1028; Mr. WYDEN, 1035; and Mr. CRAIG's amendment numbered 1041 be called up, and I ask unanimous consent they be agreed to en bloc.

Mr. DORGAN. The amendments have been cleared on both sides. I support their approval.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 1033

(Purpose: To prohibit the use of funds for the demolition of buildings at the Zephyr Shoals property, Lake Tahoe, Nevada)

On page 254, after line 25, add the following:

SEC. 4_____. None of the funds made available to the Forest Service under this Act shall be expended or obligated for the demolition of buildings at the Zephyr Shoals property, Lake Tahoe, Nevada.

AMENDMENT NO. 1024

(Purpose: To authorize the imposition of fees for overnight lodging at certain properties at Fort Baker, California)

On page 254, after line 25, add the following:

SEC. 4_____. Section 114 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (16 U.S.C. 460bb–3; Public Law 108–7), is amended—

(1) in the second sentence, by inserting '', including utility expenses of the National Park Service or lessees of the National Park Service'' after ''Fort Baker properties''; and

(2) by inserting between the first and second sentences the following: ''In furtherance of a lease entered into under the first sentence, the Secretary of the Interior or a lessee may impose fees on overnight lodgers at Fort Baker properties.''.

AMENDMENT NO. 1028

(Purpose: To reinstate a provision relating to National Parks with deed restrictions)

On page 254, after line 25, add the following:

SEC. 4_____.(a) Section 813(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812(a)) is amended by striking ''and (i)'' and inserting ''and (i) (except for paragraph (1)(C))''.

(b) Section 4(i)(1)(C)(i) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–6a(i)(1)(C)(i)) is amended—

(1) by striking ''Notwithstanding subparagraph (A)'' and all that follows through ''or section 107'' and inserting ''Notwithstanding section 107''; and

(2) by striking ''account under subparagraph (A)'' and inserting ''account under section 807(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6806(a))''.

(c) Except as provided in this section, section 4(i)(1)(C) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–6a(i)(1)(C)) shall be applied and administered as if section 813(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812(a)) (and the amendments made by that section) had not been enacted.

(d) This section and the amendments made by this section take effect on December 8, 2004.

AMENDMENT NO. 1035

(Purpose: To extend the authority for watershed restoration and enhancement agreements)

On page 254, after line 25, add the following:

SEC. 4_____. Section 323(a) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 1011 note; Public Law 105–277), is amended by striking ''fiscal year 1999'' and all that follows through ''2005'' and inserting ''for each of fiscal years 2006 through 2015''.

AMENDMENT NO. 1041

(Purpose: To withdraw from mineral entry or appropriation under mining lease laws, and from leasing claims under mineral and geothermal leasing laws, certain land in the Payette National Forest)

At the appropriate place, add the following: ''*Provided further*, That, subject to valid existing rights, all land and interests in land acquired in the Thunder Mountain area of the Payette National Forest (including patented claims and land that are encumbered by unpatented claims or previously appropriated funds under this section, or otherwise relinquished by a private party) are withdrawn from mineral entry or appropriation under Federal mining laws, and from leasing claims under Federal mineral and geothermal leasing laws.''.

Mr. GREGG. Mr. President, the pending Department of Interior and Related Agencies Appropriations Bill fiscal year 2006, H.R. 2361, as reported by the Senate Committee on Appropriations provides $26.261 billion in budget authority and $27.421 billion in outlays in fiscal year 2006 for the Department of Interior and related agencies. Of these totals, $54 million in budget authority and $60 million in outlays are for mandatory programs in fiscal year 2006.

The bill provides total discretionary budget authority in fiscal year 2006 of $26.207 billion. This amount is $532 million more than the President's request, equal to the 302(b) allocations adopted by the Senate, $100 million more than the House-passed bill, and $553 million less than fiscal year 2005 enacted levels.

Mr. President, I commend the distinguished chairman of the Appropriations Committee for bringing this legislation before the Senate, and I ask unanimous consent that a table displaying the Budget Committee scoring of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HR 2361, 2006 INTERIOR APPROPRIATIONS

SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal Year 2006, $ millions]

	General Purpose	Mandatory	Total
Senate-reported bill:			
Budget authority	26,207	54	26,261
Outlays	27,361	60	27,421
Senate 302(b) allocation:			
Budget authority	26,207	[54]*	26,261
Outlays	27,373	[60]*	27,433
2005 Enacted:			
Budget authority	26,760	54	26,814
Outlays	26,788	55	26,843
President's request:			
Budget authority	26,675	54	25,729
Outlays	27,414	60	27,474
House-passed bill:			
Budget authority	26,107	54	26,161
Outlays	27,489	60	27,549
Senate-Reported Bill Compared to:			
Senate 302(b) allocation:			
Budget authority	0	0	0
Outlays	−12	0	−12
2005 Enacted:			
Budget authority	−553	0	−553
Outlays	573	5	578
President's request:			
Budget authority	532	0	532
Outlays	−53	0	−53
House-passed bill:			
Budget authority	100	0	100
Outlays	−128	0	−128

*Initial 302(b) allocation report for 2006 omitted subcommittee allocations for mandatory spending. These baseline spending levels for appropriated mandatory accounts reflect anticipated mandatory suballocations in next report.
NOTE: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. BURNS. 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. BURNS. 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. BURNS. Mr. President, I ask unanimous consent 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.

Mr. BURNS. 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.

HONORING OUR ARMED FORCES

TRIBUTE TO U.S. ARMY STAFF SERGEANT HAROLD ''GEORGE'' BENNETT

Mrs. LINCOLN. Mr. President. I rise today to honor the memory of U.S. Army SSG Harold ''George'' Bennett. In the jungles of Vietnam, this young Arkansan displayed courage and honor while serving his Nation in uniform. Tragically, almost 40 years to the day, on or about June 26, 1965, he became the first American prisoner of war executed by the Viet Cong.

George Bennett was born on October 16, 1940, in Perryville, AR, a small town that rests just northwest of Little Rock in the foothills of the Ozarks. His father, Gordon, was a veteran of World War I, and he instilled in his sons the values and rewards of service to country. All 4 would follow his footsteps into the U.S. Army.

SGT George Bennett was trained in the Army as an airborne infantryman and served with the famed 82nd and 101st Airborne Divisions, made up of some of the finest soldiers in the world. He earned his Master Parachute Wings and Expert Infantry Badge before volunteering in 1964 for service in what was a relatively unknown area of southeast Asia called Vietnam. While deployed, Sergeant Bennett served as an infantry advisor to the 33rd Ranger Battalion, one of South Vietnam's best trained and toughest units. On December 29, 1964, they were airlifted to the village of Binh Gia after it had been overrun by a division of Viet Cong. Immediately upon landing, Sergeant Bennett's unit was confronted by a well-dug-in regiment of enemy forces and despite fighting furiously and courageously throughout the afternoon, their unit was decimated and overrun. Sergeant Bennett and his radio operator, PFC Charles Crafts, fell into the hands of the Viet Cong.

Before being captured, Sergeant Bennett twice called off American helicopter pilots who were attempting to navigate through the combat zone to rescue him and his radioman. Displaying a remarkably calm demeanor, his focus seemed to be on their safety and not his own. His last words to his would-be rescuers were, ''Well, they are here now. My little people,'' his term for the South Vietnamese soldiers under his command, ''are laying down their weapons and they want me to turn off my radio. Thanks a lot for your help and God Bless you.''

As a prisoner of war, the only thing more remarkable than the courageous resistance he displayed throughout his captivity was his steadfast devotion to duty, honor, and country. His faith in God and the trust of his fellow prisoners was unshakable. Sadly, the only way his captors could break his spirit of resistance was to execute him and today Sergeant Bennett lies in an unmarked grave known only to God, somewhere in the jungles of Vietnam.

Recent efforts by a group of Vietnam veterans will ensure that Sergeant Bennett's valiant service will not be forgotten. Over the years, they have worked tirelessly on behalf of the Bennett family to secure the valor awards that should have been presented to Sergeant Bennett's mother, Pauline, in 1965. I am proud of all they have accomplished and have pledged my support to this effort. Most recently, their work helped lead to Sergeant Bennett's posthumous induction into the U.S. Army Ranger Hall of Fame at Fort Benning, GA, on July 8, 2004. Sergeant Bennett's brother Dicky, and his sisters, Eloise Wallace, Laura Sue Vaught, and Peggy Williams were in attendance. I hope this long overdue moment of recognition provided some sense of solace for his family. Although he may no longer be with us, the example and selflessness of this brave young Arkansan will forever live on in our hearts.

The 40th anniversary of Sergeant Bennett's execution offers us an opportunity, not to remember the events of his death, but to reflect upon the life he led and the kind of person he was. He was a selfless young man who answered his Nation's call to service and placed duty and honor above all else. While a grateful nation could never adequately express their debt to men such as George Bennett, it should take every opportunity to honor them and their families for the sacrifice they have paid on our behalf.

I would also like to ask for unanimous consent to include in the record the citation from Sergeant Bennett's posthumous induction into the Ranger Hall of Fame and an article titled ''Bad Day at Binh Gia,'' by retired Army COL Douglas E. Moore, that provides us additional insight into the heroic service of SGT George Bennett.

BAD DAY AT BINH GIA

(By Col. Douglas E. Moore)

When friends or family visit for the first time, we usually take them to Washington to see the Vietnam Veterans Memorial. Although I have been there many times, I am still impressed with the large crowds. Most are tourists with cameras at the ready; others appear to be more somber, perhaps because they served in Vietnam themselves or lost friends or family in the war. It troubles me to see fellow veterans there wearing all sorts of military attire from that era. Many of them have pain written across their faces, which makes me wonder what terrible burdens they carry after all these years.

For me, Vietnam is now a collection of mostly good memories. As a young medevac helicopter pilot, I had the opportunity to sharpen my flying skills to a level that was never matched again. I was blessed to be able to work with some of the finest people I have ever known, and my job was satisfying. During my tours in Vietnam and Japan, I evacuated more than 11,000 casualties in one of the best flying machines ever built, the Huey helicopter. It is gratifying to know that some patients lived because we were able to help.

The bad memories have mostly faded with time. In fact, there is only one event that I still think about, and it occurred more than 34 years ago. In late December 1964, we were rushing to join the crews of two helicopter gunships in an attempt to save an American advisor. Unfortunately, we failed.

Vietnam in 1964 was as different as night and day from the later years. Back then, it was still a Vietnamese war, and there were only about 20,000 Americans assigned to the various headquarters, advisory teams and a handful of aviation units scattered around the countryside.

Ours was strictly an advisory and support role and not one of direct combat. In fact, some of the senior officers still had their families in Saigon, and many Americans lived in hotels and other civilian buildings. The old-timers may recall a memo published by one headquarters stating its concern that some living areas were taking on the appearance of armed camps.

We operated on a shoestring. We did not have U.S. Air Force aircraft or U.S. Army artillery to prestrike the landing zones in support of our operations. The only firepower available was a few lightly armed helicopter gunships flown by a group of extraordinarily brave pilots. Needless to say, we left several of the landing zones littered with downed helicopters.

The communication systems were terrible. Since most medevac requests came by telephone and passed through several Vietnamese headquarters before reaching us, delays were common. On occasion, we would rush to a tiny village located a hundred miles away only to discover the casualties had been picked up a day or so earlier by a resupply aircraft making its weekly rounds.

All new pilots found it disconcerting that they could easily lose radio contact with other Americans during the longer flights. Weather permitting, the only alternative was to gain enough altitude to talk to our old standbys, Paris Control and Paddy Control, operated by the Air Force out of Saigon and Can Tho, respectively. Otherwise, we were completely on our own at times.

The character of the war was different, too. While there were a few major battles between the Viet Cong and South Vietnamese, most of the contact was on a small scale and ended quickly. It does not seem possible now, but the number of Americans killed in the war had not reached 200 until July 1964.

In late October, I was flying past Bien Hoa Air Base when several B–57 Canberra bombers suddenly broke through the clouds ahead of me. Several days later, I learned they had come from Clark Air Force Base in the Philippines to attack Viet Cong strongholds in the jungles north of Saigon.

The crews of the newly arrived Canberras had barely settled in when the Viet Cong struck. I was dozing in our alert shack at Tan Son Nhut Air Base when the radio operator began yelling, ''Bien Hoa's been hit!'' As we ran to our helicopter for the short flight to Bien Hoa, we could see flashes of rockets and mortars on the horizon.

Burning aircraft and ammunition were exploding everywhere as we landed to evacuate the wounded. To our horror, we watched a Vietnamese A-IE Skyraider crash as the pilot tried to take off during the melee. The plane's huge engine and other burning parts rolled to a stop a few yards behind us. Four Americans were killed, several others were wounded, and 13 U.S. aircraft were destroyed that night in one of the first major attacks that seemed to be specifically targeted against the Americans.

Not long afterwards Bob Hope arrived for his first Christmas tour. While his group was traveling from the airport to downtown Saigon, two Viet Cong saboteurs drove an explosive-laden truck into the parking lot of the Brinks Hotel. Two Americans died in the blast and more than 50 were wounded. I missed Bob's show the next day because I was flying, but I understand that he quipped, ''A funny thing happened on the way in last night—a hotel passed us!''

As 1964 was ending, the North Vietnamese apparently concluded that they could not win the war with the hit-and-run tactics they had been using. Instead, a major shift in their strategy occurred when they sent two veteran Viet Cong regiments to an assembly area about 50 miles southeast of Saigon. Coastal freighters brought new rifles, mortars and rocket-propelled grenade launchers. In the jungles of Phuoc Tuy province, the dreaded 9th Viet Cong Division was born, and Binh Gia was chosen to be its first test by fire.

Binh Gia was a peaceful village surrounded by jungle and populated mostly by Catholics who had fled to the South following an earlier partition of their country. In late December, one regiment of the 9th Division attacked the village and quickly overran its lightly armed defenders. Another regiment slipped into ambush positions around a nearby clearing. They knew the American helicopters would be coming soon, loaded with Vietnamese soldiers and their American advisors.

The casualty toll mounted quickly. About midafternoon, I took a load of wounded Vietnamese to Cong Hoa General Military Hospital in Saigon and was diverted from there to pick up an American who had been hit in an ambush about 40 miles to the west, near the Cambodian border. Because there was no tactical operations center or any of the ubiquitous command and control helicopters hovering over the battlefield, as was the case in later years, we had to refuel at Saigon and return to Binh Gia to see if we were still needed.

About 25 miles away from Binh Gia I began trying to contact other aircraft in the area. I switched through several frequencies that we had used earlier in the day before hearing a gunship pilot talking with an American advisor on the ground. It quickly became evident that the advisor was in trouble because the gunship pilot kept telling him he could not identify the disposition of his troops and was concerned about firing on ''friendlies.''

The advisor said he was sorry but that he had used up all of his smoke grenades and had nothing to mark his positions. At that point, the advisor began identifying objects on the ground in an attempt to guide the gunships. Finally, I heard him say something to the effect of, ''Listen, I'm standing on a small mound near a large clump of bushes and waving a white handkerchief. You have clearance to fire anywhere more than a hundred meters from my position.''

Shortly thereafter, the gunship pilot reported that he and his wingman had fired all of their rockets and had little machine-gun ammunition remaining. At this point, the gunship pilot told the advisor to begin moving toward the Southwest because he planned to land and pick him up. The advisor's response was quick. ''Don't try it! They're all around me down here, and all you'll do is get shot down.''

The gunship pilot encouraged him to move, but the advisor was adamant that it was too dangerous for any rescue attempt. After hearing this, I called the gunship pilot and told him we were about 10 or 12 miles out and would pick up the advisor if he could guide us into the area. The advisor answered first: ''Negative; Dustoff. You can't make it, so don't even try it!''

I thought we had a chance because I remain convinced to this day that some of the earlier Viet Cong commanders would not have allowed their troops to fire at our medevac helicopters—whether out of respect for the red crosses or because they knew we went to the aid of anyone who needed help, I do not know. Many of the civilian casualties and pregnant women whom we had evacuated from the villages had husbands or relatives serving in the Viet Cong. As a result, I honestly believe they took it easy on us during the early part of the war. When U.S. combat units were introduced the following spring, we became fair game like everyone else.

In any case, my crew and I planned to approach at treetop level and touch down just long enough to haul the advisor aboard. We had already begun descending when we heard him say, ''Well, they are here now. My little people [slang for South Vietnamese soldiers] are laying their weapons down, and they want me to turn off my radio. Thanks a lot for your help, and God bless you.''

With those words, he was gone. The gunship pilot reported movement around the advisor's position, so we pulled up and began orbiting the area. The gunship pilot then told me that he and his wingman had to depart to refuel and rearm. I called an approaching Army L–19 spotter plane to ask if more gunships were on the way. The Bird Dog pilot said no.

The late afternoon sun began casting long shadows across the jungle clearing below us, and it looked so peaceful from our vantage point. At the same time, it was heartbreaking to know that an American soldier had been captured and we were helpless to do anything except orbit outside of small-arms range.

Several minutes passed before our radio crackled to life again, ''Have no fear, blue-eyed VNAF is here!'' The call came from a flight of Vietnamese air force AI–E Skyraiders, piloted by U.S. Air Force advisors. They were rushing to help but were simply too late.

I left Vietnam the following summer and spent two years in Japan before I returned to Vietnam. While in Japan, I was in another medevac unit whose mission was to ferry casualties from the air bases at Yokota and Tachikawa to several Army, Navy and Air Force hospitals scattered around Tokyo. After the more seriously wounded were sufficiently stabilized, we returned them to the airheads for the long flight home.

One afternoon, I was reading a copy of The Stars and Stripes while waiting for an inbound flight at Yokota. My attention was drawn to an announcement by the North Vietnamese government that an American POW had been shot in retaliation for the slaying of a Viet Cong terrorist by South Vietnamese forces. The article identified the POW as Army Sgt. Harold G. Bennett, who had been captured at Binh Gia.

It suddenly dawned on me that I had never learned the name of the soldier we were trying to save that afternoon, and I began wondering whether it was Sgt. Bennett.

I am still troubled because our rescue attempt was unsuccessful and I never learned the name of the soldier we were trying to save. I have often wondered whether it would have made a difference if the gunships had had more ammunition or if we had arrived a few minutes earlier. After many years of curiosity, I began trying to reconstruct the events of that fateful day.

First, I contacted the Pentagon's MIA/POW office and was referred to the Library of Congress. After obtaining several microfiche from the library, I discovered that three Americans had been captured at Binh Gia. Two of them were Army enlisted men and the third was a U.S. Marine Corps captain. While I cannot be certain, it appears the person whom we were trying to save was Sgt. Bennett.

The data I have gathered contains little information about Sgt. Bennett's actual capture, but there are several stirring accounts about his later actions as told by other POWs who were held with him in various camps. Their reports indicate that Sgt. Bennett stubbornly resisted his captors at every opportunity and that he participated in frequent hunger strikes. These disruptions may have led to his being shot.

Like most of my compatriots, I have witnessed many heroic acts over the years, but the person we were trying to save that day ranks with the most courageous. I cannot imagine what his thoughts were when things began to collapse around him, and there is no way to fathom the despair he must have felt while he was being led from the battlefield with American helicopters circling a few hundred feet overhead.

I am still amazed that he could remain so calm during his radio transmissions. To the end, his focus seemed to be on our safety and not his. The willingness to sacrifice himself instead of risking others was a remarkable demonstration of valor. If I ever have to face a life-or-death situation again, I hope I can find some of his courage.

STAFF SERGEANT HAROLD G. BENNETT

Staff Sergeant Harold G. Bennett is inducted into the Ranger Hall of Fame for extraordinary courage against numerically superior forces on the battlefields of South Vietnam, and for his conspicuous gallantry while held in captivity by the Viet-Cong. While serving as a Ranger Advisor to the 33rd Vietnamese Ranger Battalion, SSG Bennett volunteered, on Christmas Day, to lead a seven man Ranger combat team on a helicopter (named the ''Suicide Chopper'') into a one-ship landing zone near the Cambodian border in an effort to free three Americans held captive by communist forces. Ranger Bennett and his snatch team landed and quickly worked their way through the camp. The VC had moved the prisoners prior to their arrival.

While this mission to liberate the captured Americans was not accomplished, in no way did it detract from the heroic efforts of SSG Bennett to free them. Four days later, on December 29th, 1964, SSG Bennett, with his American RTO, accompanied the 2nd Company of the 33rd Ranger Battalion on the first airlift into Operational Area of the Legendary ''Battle of Binh Gia.'' As the rangers were being overrun by elements of the Viet Cong 9th Division, SSG Bennett remained on the radio refusing any attempt to evacuate him and his RTO from the overwhelming enemy forces and their firepower. After SSG Bennett's capture at Binh Gia, he was labeled a troublemaker by his captors because

of his constant aggressiveness in the brutal conditions of the jungle pow camps. He verbally berated his guards, daring them to confront him man-to-man. On one of his three unsuccessful escape attempts, a Viet Cong soldier almost bit off SSG Bennett's finger as he punched the guard. Driven by dedication to duty, personal honor, and his religious faith, the enemy could not break him. In June of 1965, the Communist National Liberation Front announced that they had executed SSG Harold G. Bennett, reportedly in reprisal for actions of the South Vietnamese government; he was the ''first'' American soldier to be executed in Vietnam. Ranger Bennett's exemplary boldness, complete disregard for his own safety, and his deep concern for his fellow fighting men at the risk of his own life, reflects the highest traditions of the United States Army; his actions are the embodiment of the Ranger Spirit.

ADDITIONAL STATEMENTS

RECOGNIZING THE 50TH ANNIVERSARY OF TEMPLE BENJAMIN

• Mr. LEVIN. Mr. President, I would like to take this opportunity to pay tribute to the past and present leaders and congregation of Temple Benjamin as they celebrate 50 years of service, learning, and faith on June 25, 2005. This milestone provides the perfect opportunity to reflect on the rich history of this institution and to remember the many individuals who played an integral part in its success.

In 1955 Rabbi Joseph Kratzenstein, who escaped Nazi persecution and ultimately settled in Bay City, inspired the original idea for Temple Benjamin through his efforts to educate children in the Mount Pleasant community. Upon arriving in Michigan, Rabbi Kratzenstein frequently visited the Mount Pleasant area, drawing attention to the need for religious education for local children. The rabbi's call was answered by Harry Goldberg, Leo Simon, Ben Traines, and Dr. Phil Silvert, who raised the necessary seed money to establish the temple we enjoy today.

Within 2 months of laying the first stone, the temple was completed and families began to use the services it provided. Temple Benjamin is one of the first Jewish community and religious centers to be established in the Central Michigan area and began with 10 families, some of whom would travel more than 50 miles for services. Today, the temple serves more than 50 families and has continued to grow and embrace the surrounding community.

The founding mission of education, originally developed by Gene Traines, has remained a bedrock tenet of Temple Benjamin through the years. Many notable community leaders, including Rose Traines, Mildred Goldberg, and Helen Klein, have helped to shape Temple Benjamin's instructional elements and to promote community outreach.

In addition to its work with children in Michigan, Temple Benjamin has contributed to the overall welfare and safety of our Nation through the dedicated service of many in the congregation. There are many in the congregation who served in our Armed Forces, including Robert Klein, Charles Muskowitz, Arnie Bransdorfer, Joe Simon, and Carvel Wolfson, who served with distinction during WWII.

Through the years, those associated with Temple Benjamin have embodied the values of community spirit, faith, and leadership. I know my Senate colleagues join me in congratulating the members of Temple Benjamin for their service to the community and in wishing them many more years of success in the future.•

SAMUEL NASSIE, 2005 EAGLE SCOUT OF THE YEAR

• Mrs. BOXER. Mr. President, I rise to share with my colleagues the outstanding accomplishment of one of my constituents, Samuel Nassie of Paradise, CA. I am so proud to announce that in May 2005, Samuel was named the American Legion's national ''2005 Eagle Scout of the Year.''

The title of Eagle Scout represents the highest rank a Boy Scout can achieve. It takes years of hard work, dedication, leadership and community service to earn this honor that only 4 percent of all Boy Scouts achieve. Therefore, to be selected as the American Legion's Eagle Scout of the Year from hundreds other highly qualified Eagle Scouts across the Nation is an extraordinary achievement and I am very proud of Samuel for his accomplishments that led to this meritorious honor.

Samuel's list of awards and accomplishments are too numerous to list today, but I would like to share with you some of his work that proves Samuel's dedication to his community is second to none. He was the first Boy Scout in Northern California to receive the William T. Hornaday Award, the oldest conservation award in the history of this country, with only 1,000 recipients in its 94-year history. Because of his service to the community, Samuel earned the Medal of Merit Award and the Congressional Youth Award in Bronze, Silver, and Gold. At the age of 13, Samuel achieved the rank of Eagle Scout. He was chosen as Eagle Scout of the Year for both California and the United States by the Sons of the American Revolution. The Veterans of Foreign Wars also chose him as Eagle Scout of the Year for California and awarded him second place in the United States. He is a member of the Boy Scout Honor Society, and a life member of the National Eagle Scout Association. Samuel remains active in the Boy Scouts of America by teaching at Boy Scout camps and serving as a Junior Scoutmaster for his local Boy Scout troop.

I would like to highlight two of Samuel's community projects that are particularly noteworthy. In his first community service project, ''Veterans Honor,'' Samuel created a program to locate, identify, plot and record the location of every veteran at his local cemetery. Another community service project, ''Buckets Full of Batteries,'' created an environmental program to recycle household batteries. Four years ago, he implemented this program in two school districts and over 20 businesses in Paradise, and is now working with 4 other cities to expand his program.

Samuel maintains a 4.0 GPA, and plans to attend college and study American History Education and Business. Samuel has selflessly given years of his time and energy to the community.

Samuel Nassie brings a great deal of pride to California. He has accomplished more in his 17 years than most of us will in our entire lives. His community, State, and country are fortunate to have a citizen of his caliber. I have no doubt that his future will be a bright and fulfilling one.•

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 1:02 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1812. An act to amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS).

At 3:41 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3010. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3010. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; to the Committee on Appropriations.

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–2737. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting,

pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Crystal Falls, Michigan; Laona, Wisconsin; Blythe, California; Celoron, New York; and Wells, Texas)'' (MB Docket Nos. 04–370, 04–371, 04–388, 04–390, and 04–391) received on June 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2738. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Ammon and Dubois, Idaho)'' (MB Docket No. 04–427) received on June 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2739. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (McCook, Maxwell, and Broken Bow, Nebraska)'' (MB Docket No. 04–203) received on June 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2740. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Jackson and Charlotte, Michigan)'' (MB Docket No. 05–35) received on June 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2741. A communication from the Acting General Counsel, Department of Commerce, transmitting, the report of a draft bill entitled ''Marine Mammal Protection Act Amendments of 2005'' received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2742. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (37); Amdt. No. 3123'' ((RIN2120–AA65)(2005–0018)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2743. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of VOR Federal Airway V–623'' ((RIN2120–AA66)(2005–0129)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2744. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Area Navigation Routes; FL'' ((RIN2120–AA66)(2005–0131)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2745. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft; CORRECTION'' ((RIN2120–AH19)(2005–0002)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2746. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Prohibited Area 51; Bangor, WA'' ((RIN2120–AA66)(2005–0116)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2747. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E2 Airspace; and Modification of Class E5 Airspace; Chillicothe, MO'' ((RIN2120–AA66)(2005–0117)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2748. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Harrisburg, PA; CORRECTION'' ((RIN2120–AA66)(2005–0126)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2749. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Newburgh, NY'' ((RIN2120–AA66)(2005–0127)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2750. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Newburgh, NY'' ((RIN2120–AA66)(2005–0128)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2751. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Brunswick, ME'' ((RIN2120–AA66)(2005–0118)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2752. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Brunswick, ME'' ((RIN2120–AA66)(2005–0120)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2753. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Nome, AK; CORRECTION'' ((RIN2120–AA66)(2005–0125)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2754. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Harper, KS'' ((RIN2120–AA66)(2005–0130)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2755. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747 Series Airplanes'' ((RIN2120–AA64)(2005–0267)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2756. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Cessna Model 750 Airplanes'' ((RIN2120–AA64)(2005–0266)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2757. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: BAE Systems Limited Model BAe 146 Airplanes'' ((RIN2120–AA64)(2005–0281)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2758. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 727–200 Series Airplanes Equipped with a No. 3 Cargo Door'' ((RIN2120–AA64)(2005–0280)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2759. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model DHC 8 102, 103, 106, 201, 301, 311, and 315 Airplanes'' ((RIN2120–AA64)(2005–0279)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2760. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: GROB–WERKE Model G120A Airplanes'' ((RIN2120–AA64)(2005–0278)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2761. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Extra Flugzeugproduktions- und Vertriebs-GmbH Models EA 300, EA 300S, EA–300L, and EA 300/200 Airplanes'' ((RIN2120–AA64)(2005–0277)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2762. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Precise Flight, Inc. Models SVS I and SVS IA Standby Vacuum Systems'' ((RIN2120–AA64)(2005–0276)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2763. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 767–200, 300, and 300F Series Airplanes'' ((RIN2120–AA64)(2005–0275)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2764. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Agusta S.p.A. Model A190E Helicopters'' ((RIN2120–AA64)(2005–0274)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2765. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Dassault Model Mystere-Falcon 50 and 900 Series Airplanes, and Model Falcon 2000 and 900EX Series Airplanes'' ((RIN2120–AA64)(2005–0273)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2766. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Pilatus

Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes'' ((RIN2120–AA64)(2005–0272)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2767. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model DHC 8 400, 401, and 402 Series Airplanes'' ((RIN2120–AA64)(2005–0271)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2768. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC 9 15F Airplanes Modified in Accordance with Supplemental Type Certificate SA1993SO; and Model DC 9 10, –20, –30, –40, and –50 Series Airplanes in All-Cargo Configuration, Equipped with a Main Deck Cargo Door'' ((RIN2120–AA64)(2005–0268)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2769. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300 B2 and B4 Series Airplanes'' ((RIN2120–AA64)(2005–0270)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2770. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: CFM International CFM56–5, –5B, and –5C Series Turbofan Engines'' ((RIN2120–AA64)(2005–0269)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2771. A communication from the Attorney, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials; Miscellaneous Amendments'' (RIN2137–AD87) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2772. A communication from the Attorney, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions'' (RIN2137–AD92) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2773. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of VOR Federal Airway V–623'' ((RIN2120–AA66)(2005–0115)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2774. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; McGregor, MN'' ((RIN2120–AA66)(2005–0124)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2775. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E2 Airspace; and Modification of Class E5 Airspace; Monett, MO, Correction'' ((RIN2120–AA66)(2005–0123)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2776. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Boonville, MO; CONFIRMATION OF EFFECTIVE DATE'' ((RIN2120–AA66)(2005–0122)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2777. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Washington, KS; CONFIRMATION OF EFFECTIVE DATE'' ((RIN2120–AA66)(2005–0121)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2778. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Aero-Space Technologies of Australia Pty Ltd. Models N22B, N22S, and N24A Airplanes'' ((RIN2120–AA64)(2005–0265)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2779. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: DG Flugzeugbau GmbH Model DG–500MB Sailplanes and Glaser-Dirks Flugzeugbau GmbH Model DG–800B Sailplanes'' ((RIN2120–AA64)(2005–0264)) received on June 18, 2005 to the Committee on Commerce, Science, and Transportation.

EC–2780. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–200C and 747–200F Series Airplanes'' ((RIN2120–AA64)(2005–0263)) received on June 18 2005; to the Committee on Commerce, Science, and Transportation.

EC–2781. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Turbomeca S.A. Arrius 1A Turboshaft Engines'' ((RIN2120–AA64)(2005–0262)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2782. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model 717–200 Airplanes'' ((RIN2120–AA64)(2005–0261)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2783. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 767–200, 300, and 300F Series Airplanes'' ((RIN2120–AA64)(2005–0260)) received on June 18 2005; to the Committee on Commerce, Science, and Transportation.

EC–2784. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model CL–600–1A11 (CL–600), CL–600–2A12 (CL–601), and CL–600–2B16 (CL–601–3A, CL–601–3R, and CL–604) Airplanes Modified by Supplemental Type Certificate (STC) SA4900SW'' ((RIN2120–AA64)(2005–0259)) received on June 18, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2785. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747 Series Airplanes; CORRECTION'' ((RIN2120–AA64)(2005–0258)) received on June 18, 2005 to the Committee on Commerce, Science, and Transportation.

EC–2786. A communication from the Chief, Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations: Annual Offshore Super Series Boat Race, Fort Myers Beach, FL'' (RIN1625–AA08) received on June 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2787. A communication from the Chief, Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations (including 2 regulations): [CGD11–05–013], [CGD11–05–009]'' (RIN1625–AA08) received on June 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2788. A communication from the Chief, Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Tchoutacabouffa River, Cedar Lake, MS'' (RIN1625–AA09) received on June 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2789. A communication from the Chief, Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones (including 3 regulations): [CGD09–05–019], [CGD01–05–036], [CGD01–05–052]'' (RIN1625–AA00) received on June 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2790. A communication from the Chief, Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone: Macy's July 4th Fireworks, East River and Upper New York Bay, NY'' (RIN1625–AA00) received on June 22, 2005; to the Committee on Commerce, Science, and Transportation.

EC–2791. A communication from the Chief, Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Duluth Harbor, Duluth, Minnesota'' (RIN1625–AA87) received on June 22, 2005; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, with amendments:

S. 1017. A bill to reauthorize grants for the water resources research and technology institutes established under the Water Resources Research Act of 1984 (Rept. No. 109–90).

By Mr. ENZI, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 655. A bill to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention (Rept. No. 109–91).

By Mr. BENNETT, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2744. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes (Rept. No. 109–92).

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 268. A bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes (Rept. No. 109–93).

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 432. A bill to establish a digital and wireless network technology program, and for other purposes (Rept. No. 109–94).

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. MCCAIN:

S. 1312. A bill to amend a provision relating to employees of the United States assigned to, or employed by, an Indian tribe, and for other purposes; to the Committee on Indian Affairs.

By Mr. CORNYN:

S. 1313. A bill to protect homes, small businesses, and other private property rights, by limiting the power of eminent domain; to the Committee on the Judiciary.

By Mr. VOINOVICH (for himself and Mr. STEVENS):

S. 1314. A bill to amend the Federal Water Pollution Control Act to authorize appropriations for States water pollution control revolving funds, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LUGAR:

S. 1315. A bill to require a report on progress toward the Millennium Development Goals, and for other purposes; to the Committee on Foreign Relations.

By Ms. SNOWE (for herself, Mr. KERRY, Ms. COLLINS, Mr. CHAFEE, and Mr. KENNEDY):

S. 1316. A bill to authorize the Small Business Administration to provide emergency relief to shellfish growers affected by toxic red tide losses; considered and passed.

By Mr. HATCH (for himself, Mr. DODD, Mr. BURR, Mr. REED, and Mr. ENSIGN):

S. 1317. A bill to provide for the collection and maintenance of cord blood units for the treatment of patients and research, and to amend the Public Health Service Act to authorize the Bone Marrow and Cord Blood Cell Transplantation Program to increase the number of transplants for recipients suitable matched to donors of bone marrow and cord blood; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 21

At the request of Ms. COLLINS, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 21, a bill to provide for homeland security grant coordination and simplification, and for other purposes.

S. 211

At the request of Mrs. CLINTON, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services, volunteer services, and for other purposes.

S. 331

At the request of Mr. JOHNSON, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 331, a bill to amend title 38, United States Code, to provide for an assured adequate level of funding for veterans health care.

S. 537

At the request of Mr. BINGAMAN, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 537, a bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

S. 548

At the request of Mr. CONRAD, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 548, a bill to amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make their land available for access by the public under programs administered by States and tribal governments.

S. 604

At the request of Mr. BINGAMAN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 604, a bill to amend title XVIII of the Social Security Act to authorize expansion of medicare coverage of medical nutrition therapy services.

S. 633

At the request of Mr. JOHNSON, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 633, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 675

At the request of Mr. DORGAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 675, a bill to reward the hard work and risk of individuals who choose to live in and help preserve America's small, rural towns, and for other purposes.

S. 695

At the request of Mr. BYRD, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 695, a bill to suspend temporarily new shipper bonding privileges.

S. 751

At the request of Mrs. FEINSTEIN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 751, a bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing personal information, to disclose any unauthorized acquisition of such information.

S. 963

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 963, a bill to amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans' health care, to direct the Secretary of Veterans Affairs to conduct a pilot program to improve access to health care for rural veterans, and for other purposes.

S. 1050

At the request of Mrs. LINCOLN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1050, a bill to amend the Tariff Act of 1930 to provide for an expedited antidumping investigation when imports increase materially from new suppliers after an antidumping order has been issued, and to amend the provision relating to adjustments to export price and constructed export price.

S. 1060

At the request of Mr. COLEMAN, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 1060, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. 1064

At the request of Mr. COCHRAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1064, a bill to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

S. 1066

At the request of Mr. HAGEL, his name was added as a cosponsor of S. 1066, a bill to authorize the States (and subdivisions thereof), the District of Columbia, territories, and possessions of the United States to provide certain tax incentives to any person for economic development purposes.

S. 1112

At the request of Mr. GRASSLEY, the name of the Senator from Utah (Mr. BENNETT) 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. 1200

At the request of Mr. BUNNING, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1200, a bill to amend the Internal Revenue Code of 1986 to reduce the depreciation recovery period for certain roof systems.

S. 1209

At the request of Mr. GREGG, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1209, a bill to establish and strengthen postsecondary programs and courses in the subjects of

traditional American history, free institutions, and Western civilization, available to students preparing to teach these subjects, and to other students.

S. 1217

At the request of Mr. BINGAMAN, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 1217, a bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes.

S. 1290

At the request of Mrs. CLINTON, her name was added as a cosponsor of S. 1290, a bill to appropriate $1,975,183,000 for medical care for veterans.

S. 1298

At the request of Mrs. LINCOLN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1298, a bill to amend titles XIX and XXI of the Social Security Act to permit States to cover low-income youth up to age 23.

S. RES. 42

At the request of Mr. LUGAR, the name of the Senator from Nebraska (Mr. HAGEL) 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. 154

At the request of Mr. BIDEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. Res. 154, a resolution designating October 21, 2005 as ''National Mammography Day''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN:

S. 1312. A bill to amend a provision relating to employees of the United States assigned to, or employed by, and Indian tribe, and for other purposes; to the Committee on Indian Affairs.

Mr. MCCAIN. Mr. President, today I am introducing legislation to address conflicts of interest and the appearance of conflicts involving former Federal officers and employees who represent Indian tribes.

The legislation amends the Indian Self-Determination and Education Assistance Act (ISDEA), 25 US.C. 450i(j), by limiting the exemption from Federal conflicts of interest laws. Current law exempts from the conflicts laws former Federal officers and employees who ''are employed by Indian tribes'', thus permitting these former Federal employees immediately to lobby the departments they just left and act as agents and attorneys for the tribes. The legislation limits this exemption only to those former Federal employees who are employees of Indian tribes pursuant to self-determination contracts or self-governance compacts.

The bill clarifies what I believe was the intent of the Congress, as evidenced by House Report No. 93–4600 that accompanies the ISDEA, that Federal employees who work in an area that is contracted or compacted to a tribe be able to continue performing their jobs if they become employees of the Indian tribe for purposes of working in the contracted or compacted area. The exception that was made to the conflict laws appeared to have been made in response to the recognition that when Indian tribes took on the responsibility of operating programs traditionally fulfilled by the Federal Government, they would need experienced individuals to fulfill contracted or compacted functions.

Former Federal employees who leave the Federal Government and go to work as outside lawyers or lobbyists for Indian tribes, however, would, under the legislation I am introducing today, be subject to the same conflicts of interest restraints that apply to other former Federal employees who work for other entities. The bill takes effect one year after enactment to allow time for people to familiarize themselves with the new law and for tribes to seek alternative representation if necessary.

Limiting the waiver of conflicts laws in this manner proposed in this bill will address a problem identified by the Inspector General of the Department of Interior. In a report dated February 2002, entitled ''Allegations Involving Irregularities in the Tribal Recognition Process and Concerns Relating to Indian Gaming, the IG laid out a number of contacts by former BIA and DOI officials, who left Federal employment to represent tribes at law firms, to the BIA regarding recognition matters that, but for the exemption from the conflicts rules, they would be barred from making. The IG suggested that these contacts were improper, but not illegal. These contacts were all made by former Federal employees who worked as outside lawyers and lobbyists for tribes. In his testimony before the Senator Committee on Indian Affairs earlier this year, the Inspector General again raised the issue of conflicts of interest and referred to a problem of a ''revolving door'' involving former Department of Interior officials. This legislation seeks to address that problem. I urge my colleagues to support it. I also 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. 1312

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 ''Reducing Conflicts of Interests in the Representation of Indian Tribes Act of 2005''.

SEC. 2. ADDITIONAL EMPLOYMENT RIGHTS.

Section 104 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450i) is amended by striking subsection (j) and inserting the following:

''(j) ADDITIONAL EMPLOYMENT RIGHTS.—

''(1) IN GENERAL.—Notwithstanding sections 205 and 207 of title 18, United States Code, an officer or employee of the United States assigned to an Indian tribe under section 3372 of title 5, United States Code, or section 2072 of the Revised Statutes (25 U.S.C. 48), or an individual that was formerly an officer or employee of the United States and who is an employee of an Indian tribe employed to perform services pursuant to self-governance contracts or compacts under this Act that the individual formerly performed for the United States, may communicate with and appear before any department, agency, court, or commission on behalf of the Indian tribe with respect to any matter relating to the contract or compact, including any matter in which the United States is a party or has a direct and substantial interest.

''(2) NOTIFICATION OF INVOLVEMENT IN PENDING MATTER.—An officer, employee, or former officer or employee described in paragraph (1) shall submit to the head of each appropriate department, agency, court, or commission, in writing, a notification of any personal and substantial involvement the officer, employee, or former officer or employee had as an officer or employee of the United States with respect to the pending matter.''.

SEC. 3. EFFECTIVE DATE.

The effective date of the amendment made by this Act shall be the date that is 1 year after the date of enactment of this Act.

By Mr. CORNYN:

S. 1313. A bill to protect homes, small businesses, and other private property rights, by limiting the power of eminent domain; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I rise today to introduce new legislation, entitled the Protection of Homes, Small Businesses, and Private Property Act of 2005. I introduce this legislation in response to a controversial ruling of the United States Supreme Court issued just last Thursday.

The protection of homes, small businesses, and other private property rights against government seizure and other unreasonable government interference is a fundamental principle and core commitment of our Nation's Founders. As Thomas Jefferson famously wrote on April 6, 1816, the protection of such rights is:

the first principle of association, ''the guarantee to everyone of a free exercise of his industry, and the fruits acquired by it.''

The Fifth Amendment of the United States Constitution specifically provides that ''private property'' shall not ''be taken for public use without just compensation.'' The Fifth Amendment thus provides an essential guarantee of liberty against the abuse of the power of eminent domain, by permitting government to seize private property only ''for public use.''

On June 23, 2005, the U.S. Supreme Court issued its controversial 5–4 decision in Kelo v. City of New London. In that ruling, the Court acknowledged that ''it has long been accepted that the sovereign may not take the property of A for the sole purpose of transferring it to another private party B,''

and that under the Fifth Amendment, the power of eminent domain may be used only ''for public use.''

Yet the Court nevertheless held, by a 5–4 vote, that government may seize the home, small business, or other private property of one owner, and transfer that same property to another private owner, simply by concluding that such a transfer would benefit the community through increased economic development.

This is an alarming decision. As the Houston Chronicle editorialized this past weekend:

It seems a bizarre anomaly. The government in China or Russia might take private property to hand over to wealthy developers to build shopping malls and office plazas, but it wouldn't happen in the United States. Yet, that is the practice the U.S. Supreme Court narrowly approved this week. Local governments, the court ruled, may seize private homes and businesses so that other private entities can develop the land into enterprises that generate higher taxes.

I ask unanimous consent that a copy of this editorial be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered. (See exhibit 1.)

Mr. CORNYN. The Court's decision in Kelo is alarming because, as Justice O'Connor accurately noted in her dissenting opinion, joined by the Chief Justice and Justices Scalia and Thomas, the Court has:

effectively . . . delete[d] the words ''for public use'' from the Takings Clause of the Fifth Amendment and thereby ''refus[ed] to enforce properly the Federal Constitution.''

Under the Court's decision in Kelo, Justice O'Connor warns,

[t]he specter of condemnation hangs over all property. Nothing is to prevent the State from replacing any Motel 6 with a Ritz-Carlton, any home with a shopping mall, or any farm with a factory.

She further warns that, under Kelo,

[a]ny property may now be taken for the benefit of another private party, [and] the fallout from this decision will not be random. The beneficiaries are likely to be those citizens with disproportionate influence and power in the political process, including large corporations and development firms. As for the victims, the government now has license to transfer property from those with fewer resources to those with more. The Founders cannot have intended this perverse result.

Indeed, as an amicus brief filed by the National Association for the Advancement of Colored People, AARP, and other organizations noted:

[a]bsent a true public use requirement, the takings power will be employed more frequently. The takings that result will disproportionately affect and harm the economically disadvantaged and, in particular, racial and ethnic minorities and the elderly.

In a way, the Kelo decision at least vindicates supporters of the nomination of Justice Janice Rogers Brown to the U.S. Court of Appeals for the D.C. Circuit. That nomination attracted substantial controversy in some quarters, because of Justice Brown's personal passion for the protection of private property rights. The Kelo decision announced last Thursday demonstrates that her concerns about excessive government interference with property rights is well-founded and well within the mainstream of American jurisprudence.

The Houston Chronicle has called upon lawmakers to take action, editorializing this past weekend that:

lawmakers would do well to pass restrictions on this distasteful form of eminent domain.

I firmly agree.

It is appropriate for Congress to take action, consistent with its limited powers under the Constitution, to restore the vital protections of the Fifth Amendment and to protect homes, small businesses, and other private property rights against unreasonable government use of the power of eminent domain.

That is why I am introducing today the Protection of Homes, Small Businesses, and Private Property Act of 2005. The legislation would declare Congress's view that the power of eminent domain should be exercised only ''for public use,'' as guaranteed by the Fifth Amendment, and that this power to seize homes, small businesses, and other private property should be reserved only for true public uses. Most importantly, the power of eminent domain should not be used simply to further private economic development. The act would apply this standard to two areas of government action which are clearly within Congress's authority to regulate: (1) All exercises of eminent domain power by the Federal Government, and (2) all exercises of eminent domain power by State and local government through the use of Federal funds.

It would likewise be appropriate for states to take action to voluntarily limit their own power of eminent domain. As the Court in Kelo noted, ''nothing in our opinion precludes any State from placing further restrictions on its exercise of the takings power.''

The protection of homes, small businesses, and other private property rights against government seizure and other unreasonable government interference is a fundamental principle and core commitment of our Nation's Founders. The Kelo decision was a disappointment, but I congratulate the attorneys at the Institute for Justice for their exceptional legal work and for their devotion to liberty. We must not give up, and I know that the talented lawyers at the Institute for Justice have no intention of giving up. In the aftermath of Kelo, we must take all necessary action to restore and strengthen the protections of the Fifth Amendment. I ask my colleagues to lend their support to this effort, by supporting the Protection of Homes, Small Businesses, and Private Property Act of 2005.

EXHIBIT 1

STEALING HOME

It seems a bizarre anomaly. The government in China or Russia might take private property to hand over to wealthy developers to build shopping malls and office plazas, but it wouldn't happen in the United States. Yet, that is the practice the U.S. Supreme Court narrowly approved this week. Local governments, the court ruled, may seize private homes and businesses so that other private entities can develop the land into enterprises that generate higher taxes.

The Supreme Court found, 5–4, that local elected officials are not barred by the Constitution from condemning whole neighborhoods and small businesses if, in their view, doing so would lead to redevelopment that increases tax collections.

A majority on the court was convinced that the possibility of improving the tax base for the benefit of the wider community satisfies the Fifth Amendment's requirement that private property can be taken by eminent domain only for a public purpose.

Justice Sandra Day O'Connor, who dissented, pinpointed the problem with the majority's argument. It cedes ''disproportionate influence and power'' to a community's most powerful and well-connected residents.

Public parks, schools and right of way for thoroughfares traditionally have provided the sort of public purpose to justify government's use of eminent domain. Grand redevelopment schemes, especially when they are cooked up by government officials, often lack a sound economic basis and carry the potential of becoming boondoggles that hurt taxpayers.

Justice John Paul Stevens wrote for the majority that local officials are qualified judges of whether an economic development project will benefit the community. In this case, city officials in New London, Conn., plan to tear down private homes to make way for a riverfront hotel, offices and a fitness club.

''The city has carefully formulated an economic development that it believes will provide appreciable benefits to the community, including—but by no means limited to—new jobs and increased tax revenue,'' Stevens wrote.

But is that universally true? Municipal and county governing bodies frequently miscalculate or wildly overestimate the benefits of tax abatements and other incentives.

Besides that, individual taxpayers don't necessarily benefit from increased government revenues.

Sometimes the increased revenue proves insufficient to cover the cost of providing services to new development. Sometimes increased revenues are wasted on things other than essential services.

Now that the high court has cleared the way for elected officeholders to trump private property rights, abuse of eminent domain becomes more likely, particularly in neighborhoods populated by the least influential citizens. In Texas, lawmakers would do well to pass restrictions on this distasteful form of eminent domain.

By Mr. LUGAR:

S. 1315. A bill to require a report on progress toward the Millennium Development Goals, and for other purposes; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, I rise today to introduce a bill that calls on the administration to assess the progress of poverty reduction efforts around the world since September 2000, when the Millennium Declaration was unanimously adopted by more than 180 nations, including the United States. Each of these nations signed an agreement to work toward defined objectives, called the Millennium Development Goals, which include the commitments to: build a global partnership for

development; eradicate extreme poverty by halving the number of people living on less than one dollar a day and the number who suffer hunger; achieve universal primary education for boys and girls alike; reduce by two-thirds the under-5 child mortality rate; halt and reverse the spread of AIDS, malaria and other major disease; promote gender equality, reduce maternal mortality by two-thirds; and ensure environmental sustainability.

This bill also highlights the important research and recommendations of the Report of the Commission for Africa that was commissioned by Prime Minister Tony Blair in preparation for the July 2005 G8 Summit in Scotland. The report, entitled ''Our Common Interest,'' is an excellent study of past development efforts and current opportunities to respond to the challenges of extreme poverty in Africa.

Three important international forums will occur this year that will help define the world's response to extreme poverty; the group of Eight highly industrialized countries will meet in July at Gleneagles, Scotland and will address the challenges and opportunities of the African continent; The United Nations Summit to review progress on the Millennium Development Goals will occur in September. It will provide an opportunity to measure global coherence and commitment to specific objectives in eradicating extreme poverty by 2015; and the The Sixth Ministerial Conference of the World Trade Organization will meet in Hong Kong in December. Progress toward a genuinely equitable trade round in Hong Kong could provide a significant boost to global international development.

This bill asks that the Secretary of State produce a report on the commitments made by the United States and the international community to achieve the Millennium Development Goals, including the decisions made in regard to these goals in the three upcoming summits. It asks that the report assess the prospects of achieving these goals by 2015 and to review policies that maintain continued United States leadership in reducing poverty worldwide. The report would be due 60 days after the completion of the WTO summit December 13–18, 2005.

The purpose of this report is to encourage a discussion of the goals themselves and the practical challenges with which each of these goals must contend. This discussion should take place within and among donor and developing governments, on a continuing basis. The upcoming summits are an important opportunity to continue that discussion as well as to make concrete efforts, and if necessary adjustments, to achieving such goals.

Since the Millennium Summit in 2000, the United States has taken steps to invest in development in a more comprehensive manner. President Bush made an historic commitment to address the threat and impact of HIV–AIDS on the countries most affected by this pandemic. The United States also established a bold new development initiative that closely parallels important elements of the MDGs and the recommendations of the Commission for Africa report. The Millennium Challenge Corporation has begun to deliver billions in assistance to developing nations that are committed to investing in their own people, to ruling justly, and to encouraging economic freedom. In addition, the United States removed barriers to trade with eligible African countries through the successful Africa Growth and Opportunity Act.

There are many other significant efforts by the United States to address the challenges to poor countries face, from technical assistance to bilateral and multi-lateral debt relief, from peacekeeper training and equipping to capacity building and emergency assistance. Whether bilaterally or through multilateral institutions, the international community should capitalize on a coordinated strategy that reinforces the prospect of a more peaceful and stable world.

The commitment of the United States to the moral and humanitarian goal of reducing the inequities seen across the developing world is a key factor in achieving greater security at home and abroad. Since September 11, 2001, our nation has been engaged in a debate over how to apply national power and resources most effectively to realize the maximum degree of security. Throughout this process, I have been making the point that we are not placing sufficient weight on the diplomatic and economic tools of national power.

Even as we seek to capture key terrorists and destroy terrorist units, we must be working to perfect a longer term strategy that reshapes the world in ways that are not conducive to terrorist recruitment and influence. To win the war against terrorism, the United States must assign U.S. economic and diplomatic capabilities the same strategic priority that we assign to military capabilities. There are no shortcuts to victory. We must commit ourselves to the painstaking work of foreign policy day by day and year by year. As we undertake this mission, we must be persistent in our advocacy among our fellow nations to encourage a global partnership and commitment to eradicating poverty.

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. 1315

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 ''International Cooperation to Meet the Millennium Development Goals Act of 2005''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) At the United Nations Millennium Summit in 2000, the United States joined more than 180 other countries in committing to work toward goals to improve life for the world's poorest people by 2015.

(2) Such goals include reducing the proportion of people living on less than $1 per day by ½, reducing child mortality by ⅔, and assuring basic education for all children, while sustaining the environment upon which human life depends.

(3) At the 2002 International Conference on Financing for Development, the United States representative reiterated the support of the United States for the Millennium Development Goals and advocated, along with other international participants, for a stronger focus on measurable outcomes derived from a global partnership between developed and developing countries.

(4) On March 22, 2002, President Bush stated, ''We fight against poverty because hope is an answer to terror. We fight against poverty because opportunity is a fundamental right to human dignity. We fight against poverty because faith requires it and conscience demands it. We fight against poverty with a growing conviction that major progress is within our reach.''.

(5) The 2002 National Security Strategy of the United States notes that ''a world where some live in comfort and plenty, while half of the human race lives on less than $2 per day, is neither just nor stable. Including all of the world's poor in an expanding circle of development and opportunity is a moral imperative and one of the top priorities of U.S. international policy''.

(6) The National Commission on Terrorist Attacks Upon the United States concluded that the Government of the United States must offer an example of moral leadership in the world and offer parents and their children a vision of the future that emphasizes individual educational and economic opportunity as essential to the efforts of the United States to defeat global terrorism.

(7) The summit of the Group of Eight scheduled for July 2005, the United Nations summit scheduled for September 2005, and the Sixth Ministerial Conference of the World Trade Organization scheduled for December 2005 will provide opportunities to measure and continue to pursue progress on the Millennium Development Goals.

(8) The summit of the Group of Eight scheduled for July 6 through July 8, 2005, in Gleneagles, Scotland, will bring together the countries that can make the greatest contribution to alleviating extreme poverty in Africa, the region of the world where extreme poverty is most prevalent.

(9) On June 11, 2005, the United States helped secure the agreement of the Group of Eight Finance Ministers to cancel 100 percent of the debt obligations owed to the World Bank, African Development Bank, and International Monetary Fund by countries that are eligible for debt relief under the Highly Indebted Poor Countries Initiative, the initiative established in 1996 by the World Bank and the International Monetary Fund for the purpose of reducing the debt burdens of the world's poorest countries, or under the Enhanced HIPC Initiative, as defined in section 1625 of the International Financial Institutions Act (22 U.S.C. 262p–8), which are poor countries that are on the path to reform.

(10) The report prepared by the Commission for Africa and issued by Prime Minister Tony Blair on March 11, 2005, entitled ''Our Common Interest'', called for coherence and coordination in the development of an overarching package of actions to be carried out by the countries of Africa and the international community to address the complex

interlocking issues that challenge the continent, many of which have already been addressed individually in previous summits and under the Africa Action Plan enacted by the Group of Eight.

(11) The United States has recognized the need for strengthened economic and trade opportunities, as well as increased financial and technical assistance to Africa and other countries burdened by extreme poverty, through significant initiatives in recent years, including—

(A) the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.) that has opened United States markets to thousands of products from Africa;

(B) the President's Emergency Plan for AIDS Relief developed under section 101 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611), the major focus of which has been on African countries;

(C) the Millennium Challenge Corporation established under section 604 of the Millennium Challenge Act of 2003 (22 U.S.C. 7703) that is in the process of committing new and significant levels of assistance to countries, including countries in Africa, that are poor but show great promise for boosting economic growth and bettering the lives of their people; and

(D) the United States has canceled 100 percent of the bilateral debt owed to the United States by countries eligible for debt relief under the Enhanced HIPC Initiative.

(12) The report prepared by the Commission for Africa entitled ''Our Common Interest'' includes the following findings:

(A) The people of Africa must demonstrate the leadership necessary to address the governance challenges they face, setting priorities that ensure the development of effective civil and police services, independent judiciaries, and strong parliaments, all of which reinforce a stable and predictable economic environment attractive to investment.

(B) Many leaders in Africa have pursued personal self-interest rather than national goals, a tendency that has been in some instances exacerbated and abetted by the manipulation of foreign governments pursuing their own agenda in the region to the detriment of the people of Africa.

(C) More violent conflict has occurred in Africa during the period between 1965 and 2005 than occurred in any other continent during that period, and the countries of Africa must engage on the individual, national, and regional level to prevent and manage conflict.

(D) The capacity to trade is constrained by a derelict or nonexistent infrastructure in most African countries as well as by the double-edged sword of tariff and nontariff barriers to trade that complicate markets and discourage investment both within and beyond the continent.

(E) The local resources for investment in people and the institutions necessary for good governance have been squandered, misappropriated, and, to an increasingly devastating effect, spent on servicing debt to the developed world. Such resources should be reoriented to serve the needs of the people through the use of debt forgiveness and support for institutional reform and internal capacity building.

(F) Failing to prevent conflict in Africa results in incalculable costs to African development and expense to the international community and the investment in preventing conflict is a fraction of such costs and expenses, in human, security, and financial terms.

(G) Despite difficulties, there is optimism and energy reflected in the scope of activities of individuals such as 2004 Nobel Peace Prize recipient, Wangari Maathai, as well as those of improved regional organizations such as the African Union and the New Partnership for Economic Development's Peer Review Mechanism, and subregional entities such as the Economic Community of West African States, the Inter-Governmental Authority on Development, and the potential of the Southern African Development Community.

(H) Political reform in Africa has produced results. For example, while in 1985 countries of sub-Saharan Africa ruled by dictators were the norm, by 2005 dictatorships are a minority and democracy has new life with governments chosen by the people increasing fourfold since 1991.

(13) The report prepared by the Commission for Africa entitled ''Our Common Interest'' includes the following recommendations:

(A) At this vital moment when globalization and growth, technology and trade, and mutual security concerns allow, and common humanity demands, a substantial tangible and coherent package of actions should immediately be taken by the international community, led by the most industrialized countries, in partnership with the countries of Africa, to address the poverty and underdevelopment of the African continent.

(B) The people of Africa must take responsibility and show courageous leadership in addressing problems and taking ownership of solutions as the means for ensuring sustainable development, while implementing governance reform as an underlying prerequisite for foreign assistance effectiveness.

(C) Each developed country has unique strengths and capacity to add value to a comprehensive assistance plan and should join their individual efforts to a coherent whole that is more efficient and responsive to Africa and the people of Africa.

(D) The international community must honor existing commitments to strengthen African peacekeeping capacity and go beyond those commitments to invest in more effective prevention and nonmilitary means to resolve conflict through such regional organizations as the African Union and the subregional Economic Community for West African States.

(E) A massive investment in physical infrastructure should be made to support commerce, extend governance, and provide opportunities for education, healthcare, investment and growth.

(F) Donors and the governments of the countries of Africa should devote substantial investment in the men and women of Africa through the education and health sectors, enabling and extending recent gains made to reach far more broadly into remote regions.

(G) The public sector should actively engage the private sector in driving growth through partnerships by reforming the laws, bureaucracy, and infrastructure necessary to maintain a climate that fosters investment by developing public-private centers of excellence to pursue such reforms.

(H) The countries of Africa must maximize the participation of women in both business and government, protect the rights of women, and work to increase the number of women in leadership positions so as to capitalize on the ability of women to deliver scarce resources effectively and fairly.

(I) The international community must work together to dismantle trade barriers, including the immediate elimination of trade-distorting commodity support.

(J) International donors should strengthen multilateral institutions in Africa to respond appropriately to local and regional crises as well as to promote economic development and ensure the people of Africa are granted a stronger voice in international forums.

(K) The international community must join in providing creative incentives for commercial firms to research and develop products that improve water, sanitation, health, and the environment in ways that would dramatically reduce suffering and increase productive life-spans in Africa.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) GROUP OF EIGHT.—The term ''Group of Eight'' means the forum for addressing international economic, political, and social issues attended by representatives of Canada, France, Germany, Italy, Japan, Russia, the United Kingdom, and the United States.

(3) MILLENNIUM DEVELOPMENT GOALS.—The term ''Millennium Development Goals'' means the goals set out in United Nations Millennium Declaration, resolution 55/1 adopted by the General Assembly of the United Nations on September 8, 2000.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should continue to provide the leadership necessary at the summit of the Group of Eight scheduled for July 2005 at Gleneagles, Scotland, to encourage other countries to develop a true partnership to pursue the Millennium Development Goals;

(2) the President should urge the Group of Eight to consider the findings and recommendations contained in the report prepared by the Commission for Africa entitled ''Our Common Interest'', as a fundamental guide on which to base their planning, in partnership with the nations of Africa, for the development of Africa;

(3) the Group of Eight, as well as governments of the countries of Africa and regional organizations of such governments, should reaffirm and honor the commitments made in the Africa Action Plan enacted by the Group of Eight in previous years; and

(4) the international community should pursue further progress toward achieving the Millennium Development Goals at the summit of the Group of Eight scheduled for July 2005, the United Nations summit scheduled for September 2005, and the Sixth Ministerial Conference of the World Trade Organization scheduled for December 2005.

SEC. 5. REPORT.

(a) REQUIREMENT.—Not later than 60 days after the date of the conclusion of the World Trade Organization Ministerial meeting in Hong Kong that is scheduled to be held December 13 through December 18, 2005, the Secretary of State in consultation with other appropriate United States and international agencies shall submit a report to the appropriate congressional committees on the progress the international community is making toward achieving the Millennium Development Goals.

(b) CONTENT.—The report required by subsection (a) shall include the following:

(1) A review of the commitments made by the United States and other members of the international community at the summit of the Group of Eight scheduled for July 2005, the United Nations summit scheduled for September 2005, and the Sixth Ministerial Conference of the World Trade Organization scheduled for December 2005, that pertain to the ability of the developing world to achieve the Millennium Development Goals.

(2) A review of United States policies and progress toward achieving the Millennium

Development Goals by 2015, as well as policies to provide continued leadership in achieving such goals by 2015.

(3) An evaluation of the contributions of other national and international actors in achieving the Millennium Development Goals by 2015.

(4) An assessment of the likelihood that the Millennium Development Goals will be achieved.

By Mr. HATCH (for himself, Mr. DODD, Mr. BURR, Mr. REED, and Mr. ENSIGN):

S. 1317. A bill to provide for the collection and maintenance of cord blood units for the treatment of patients and research, and to amend the Public Health Service Act to authorize the Bone Marrow and Cord Blood Cell Transplantation Program to increase the number of transplants for recipients suitable matched to donors of bone marrow and cord blood; to the Committee on Health, Education, Labor, and Pensions.

Mr. HATCH. Mr. President, today, I am pleased to introduce ''The Bone Marrow and Cord Blood Therapy and Research Act of 2005.'' I am grateful that Senators DODD, BURR, REED and ENSIGN have joined me as sponsors of this important, bipartisan bill. All five sponsors of this bill have been working on this legislation for the past few months. We have met with organizations that are deeply interested in participating in this new program and heard their input. We talked to other Senators, including members of the Senate Health, Education, Labor and Pension Committee, who have a deep commitment to getting this legislation signed into law by the President. This bill was a group effort and I commend the sponsors of this bill on a job well done.

I am pleased that this legislation will be considered by the Senate HELP Committee on Wednesday; we are hopeful it will then be passed by the Senate in the near future. HELP Chairman ENZI and Ranking Democrat KENNEDY and their staffs have been very supportive of our efforts in getting this bill through the Senate in a timely manner. I greatly appreciate their willingness to work with all of us on this important issue.

As many of my colleagues know, I introduced a bill earlier this year S. 681, the Cord Blood Stem Cell Act of 2005. I have introduced that legislation during the past three Congresses. The bill I have introduced with my colleagues today is a much improved version of my original cord blood legislation, primarily because it reflects a compromise between the key stakeholder groups that are deeply interested in providing federal funding to establish cord blood banks for public use. This legislation creates an easily accessible network of adult stem cell transplant material for the treatment of patients and supports the research into the uses of such cells.

One of the biggest changes in this bill is the establishment of a three year demonstration project for the collection and storage of cord blood units for a family in which a child has been diagnosed with a condition that will benefit from a cord blood transplant at no cost to the family. When we were meeting with individuals interested in this legislation, we were told by scientific experts that the most successful cord blood transplants come from a sibling's cord blood. Once a cord blood unit is put in a public cord blood bank, there is no guarantee that a family will be able to get that specific cord blood unit back if it is needed. Therefore, we believed that it was necessary to create this demonstration project so that families would have immediate access to its cord blood units. It is important to emphasize that the only families that may participate in this demonstration project are those that have a sick child or parent.

In addition, this legislation includes language calling for single point of access. The purpose of a single point of access is to provide health care providers with the ability to search for bone marrow donors and cord blood units through a single electronic point of access. Today, doctors have to search several places in order to find available cord blood units and bone marrow donors. A single point of access improves this process dramatically for both doctor and patient by making the search process much more efficient.

There is strong, bipartisan interest throughout the Congress for using adult stem cells to treat a wide variety of medical conditions. Our bill not only reauthorizes the National Marrow Donor Program, but it also creates a national network of public cord blood banks. Together, these two programs for umbilical cord blood and adult bone marrow will provide us with a widely-accepted source of hematopoietic stem cells for transplant and research.

For several decades, thousands of Americans have received and been saved by bone marrow transplants. But thousands more die for lack of an appropriate donor. The good news is that research now suggests that the blood and stem cells from human placenta and umbilical cords may in some cases provide an alternative to bone marrow transplantation. For some patients, particularly those for whom a bone marrow match cannot be found, transplantation of these cells may be a life-saving therapy. Cord blood stem cells are readily available, and they require less-stringent matching from donors to recipients, thus decreasing the difficulty of finding a fully matched donor.

Cord blood transplantation has been used successfully to treat leukemia, lymphoma, immunodeficiency diseases, sickle cell anemia, and certain metabolic diseases. However, the number of available cord blood stem cell units in the United States is insufficient to meet the need. The Bone Marrow and Cord Blood Therapy and Research Act of 2005 will establish an inventory of 150,000 new cord blood stem cell units that reflects the diversity of the United States' population. In conjunction with the five million potential bone marrow donors registered through the National Marrow Donor Program, this cord blood network will enable 95 percent of Americans to receive an appropriately matched transplant.

The Bone Marrow and Cord Blood Therapy and Research Act of 2005 also incorporates recommendations from the Institute of Medicine's recent report on cord blood. The Institute provided Congress with guidelines and recommendations to enhance the structure, function, and utility of the program. As a result, I am confident that this Nation's system for obtaining adult stem cells for transplantation purposes will improve dramatically, and that many more of our citizens will have access to the life-saving therapies they offer. Through transplants of this nature, we can finally cure previously incurable diseases such as sickle cell anemia. It is my hope that this legislation will help us ensure that children with this and other illnesses will be able to achieve their full potential, unhindered by poor health.

My goal, which I share with the other sponsors of this bill, is to create the best possible system to provide patients, clinicians, and families with access to these life-saving treatments. I believe the current bill does this by ensuring that the number of bone marrow donors and cord blood units available for transplant and research increases in the coming years.

The integrated system will include not only the international bone marrow donor registry, but also a network of qualified cord blood banks which will collect, test, and preserve cord blood stem cells. In addition, the system will educate and recruit donors, facilitate the rapid matching of donors and recipients, and quickly make such cells available to transplant centers for stem cell transplantation.

The establishment of a national infrastructure for transplant material will help save the lives of thousands of critically ill Americans. We must be sure that our Nation can meet the needs of patients and physicians by ensuring a strong future for bone marrow and cord blood in this country. My primary goal is to ensure that the amount of transplant material available for patient care and research increases in the coming years. The only way that goal may be accomplished is through strong federal support. I look forward to working with my colleagues on doing everything possible to provide transplant patients with the best possible options by ensuring a strong future for bone marrow and cord blood transplantation in this country. This is a good bill and I urge my colleagues to support it.

I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1317

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 ''Bone Marrow and Cord Blood Therapy and Research Act of 2005''.

SEC. 2. CORD BLOOD INVENTORY.

(a) IN GENERAL.—The Secretary of Health and Human Services shall enter into one-time contracts with qualified cord blood banks to assist in the collection and maintenance of 150,000 new units of high-quality cord blood to be made available for transplantation through the Bone Marrow and Cord Blood Cell Transplantation Program and to carry out the requirements of subsection (b).

(b) REQUIREMENTS.—The Secretary shall require each recipient of a contract under this section—

(1) to acquire, tissue-type, test, cryopreserve, and store donated units of cord blood acquired with the informed consent of the donor in a manner that complies with applicable Federal and State regulations;

(2) to encourage donation from a genetically diverse population;

(3) to make cord blood units that are collected pursuant to this section or otherwise and meet all applicable Federal standards available to transplant centers for transplantation;

(4) to make cord blood units that are collected, but not appropriate for clinical use, available for peer-reviewed research;

(5) to make data available, as required by the Secretary and consistent with section 379(c)(3) of the Public Health Service Act (42 U.S.C. 274k(c)(3)), as amended by this Act, in a standardized electronic format, as determined by the Secretary, for the Bone Marrow and Cord Blood Cell Transplantation Program; and

(6) to submit data in a standardized electronic format for inclusion in the stem cell therapeutic outcomes database maintained under section 379A of the Public Health Service Act, as amended by this Act.

(c) RELATED CORD BLOOD DONORS.—

(1) IN GENERAL.—The Secretary shall establish a 3-year demonstration project under which qualified cord blood banks receiving a contract under this section may use a portion of the funding under such contract for the collection and storage of cord blood units for a family where a first-degree relative has been diagnosed with a condition that will benefit from transplantation (including selected blood disorders, malignancies, metabolic storage disorders, hemoglobinopathies, and congenital immunodeficiencies) at no cost to such family. Qualified cord blood banks collecting cord blood units under this paragraph shall comply with the requirements of paragraphs (1), (2), (3), and (5) of subsection (b).

(2) AVAILABILITY.—Qualified cord blood banks that are operating a program under paragraph (1) shall provide assurances that the cord blood units in such banks will be available for directed transplantation until such time that the cord blood unit is released for transplantation or is transferred by the family to the Bone Marrow and Cord Blood Cell Transplantation Program in accordance with guidance or regulations promulgated by the Secretary.

(3) INVENTORY.—Cord blood units collected through the program under this section shall not be counted toward the 150,000 inventory goal under the Bone Marrow and Cord Blood Cell Transplantation Program.

(4) REPORT.—Not later than 90 days after the date on which the project under paragraph (1) is terminated by the Secretary, the Secretary shall submit to Congress a report on the outcomes of the project that shall include the recommendations of the Secretary with respect to the continuation of such project.

(d) APPLICATION.—To seek to enter into a contract under this section, a qualified cord blood bank shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. At a minimum, an application for a contract under this section shall include a requirement that the applicant—

(1) will participate in the Bone Marrow and Cord Blood Cell Transplantation Program for a period of at least 10 years;

(2) will make cord blood units collected pursuant to this section available through the Bone Marrow and Cord Blood Cell Transplantation Program in perpetuity; and

(3) if the Secretary determines through an assessment, or through petition by the applicant, that a cord blood bank is no longer operational or does not meet the requirements of section 379(c)(4) of the Public Health Service Act (as added by this Act) and as a result may not distribute the units, transfer the units collected pursuant to this section to another qualified cord blood bank approved by the Secretary to ensure continued availability of cord blood units.

(e) DURATION OF CONTRACTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the term of each contract entered into by the Secretary under this section shall be for 10 years. The Secretary shall ensure that Federal funds provided under any such contract terminate on the earlier of—

(A) the date that is 3 years after the date on which the contract is entered into; or

(B) September 30, 2010.

(2) EXTENSIONS.—Subject to paragraph (1)(B), the Secretary may extend the period of funding under a contract under this section to exceed a period of 3 years if—

(A) the Secretary finds that 150,000 new units of high-quality cord blood have not yet been collected pursuant to this section; and

(B) the Secretary does not receive an application for a contract under this section from any qualified cord blood bank that has not previously entered into a contract under this section or the Secretary determines that the outstanding inventory need cannot be met by the one or more qualified cord blood banks that have submitted an application for a contract under this section.

(3) PREFERENCE.—In considering contract extensions under paragraph (2), the Secretary shall give preference to qualified cord blood banks that the Secretary determines have demonstrated a superior ability to satisfy the requirements described in subsection (b) and to achieve the overall goals for which the contract was awarded.

(f) REGULATIONS.—The Secretary may promulgate regulations to carry out this section.

(g) DEFINITIONS.—In this section:

(1) The term ''Bone Marrow and Cord Blood *Cell Transplantation Program*'' means the Bone Marrow and Cord Blood Cell Transplantation Program under section 379 of the Public Health Service Act, as amended by this Act.

(2) The term ''cord blood donor'' means a mother who has delivered a baby and consents to donate the neonatal blood remaining in the placenta and umbilical cord after separation from the newborn baby.

(3) The term ''cord blood unit'' means the neonatal blood collected from the placenta and umbilical cord of a single newborn baby.

(4) The term ''first-degree relative'' means a sibling or parent who is one meiosis away from a particular individual in a family.

(5) The term ''qualified cord blood bank'' has the meaning given to that term in section 379(c)(4) of the Public Health Service Act, as amended by this Act.

(6) The term ''Secretary'' means the Secretary of Health and Human Services.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) EXISTING FUNDS.—Any amounts appropriated to the Secretary for fiscal year 2004 or 2005 for the purpose of assisting in the collection or maintenance of cord blood shall remain available to the Secretary until the end of fiscal year 2007.

(2) SUBSEQUENT FISCAL YEARS.—There are authorized to be appropriated to the Secretary $15,000,000 for each of fiscal years 2007, 2008, 2009, and 2010 to carry out this section.

(3) LIMITATION.—Not to exceed 5 percent of the amount appropriated under this section in each of fiscal years 2007 through 2009 may be used to carry out the demonstration project under subsection (c).

SEC. 3. BONE MARROW AND CORD BLOOD CELL TRANSPLANTATION PROGRAM.

(a) NATIONAL PROGRAM.—Section 379 of the Public Health Service Act (42 U.S.C. 274k) is amended to read as follows:

''SEC. 379. NATIONAL PROGRAM.

''(a) ESTABLISHMENT.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall by one or more contracts establish and maintain a Bone Marrow and Cord Blood Cell Transplantation Program (referred to in this section as the 'Program') that has the purpose of increasing the number of transplants for recipients suitably matched to biologically unrelated donors of bone marrow and cord blood, and that meets the requirements of this section. The Secretary may award a separate contract to perform each of the major functions of the Program described in paragraphs (1) and (2) of subsection (c) if deemed necessary by the Secretary to operate an effective and efficient system that is in the best interest of patients. The Secretary shall conduct a separate competition for the initial establishment of the cord blood functions of the Program. The Program shall be under the general supervision of the Secretary. The Secretary shall establish an Advisory Council to advise, assist, consult with, and make recommendations to the Secretary on matters related to the activities carried out by the Program. The members of the Advisory Council shall be appointed in accordance with the following:

''(1) Each member of the Advisory Council shall serve for a term of 2 years, and each such member may serve as many as 3 consecutive 2-year terms, except that

''(A) such limitations shall not apply to the Chair of the Advisory Council (or the Chair-elect) or to the member of the Advisory Council who most recently served as the Chair; and

''(B) 1 additional consecutive 2-year term may be served by any member of the Advisory Council who has no employment, governance, or financial affiliation with any donor center, recruitment organization, transplant center, or cord blood bank.

''(2) A member of the Advisory Council may continue to serve after the expiration of the term of such member until a successor is appointed.

''(3) In order to ensure the continuity of the Advisory Council, the Advisory Council shall be appointed so that each year the terms of approximately one-third of the members of the Advisory Council expire.

''(4) The membership of the Advisory Council—

''(A) shall include as voting members a balanced number of representatives including representatives of marrow donor centers and marrow transplant centers, representatives of cord blood banks and participating birthing hospitals, recipients of a bone marrow transplant, recipients of a cord blood transplant, persons who require such transplants, family members of such a recipient or family members of a patient who has requested the assistance of the Program in searching for an unrelated donor of bone marrow or cord blood, persons with expertise in bone marrow and cord blood transplantation, persons with expertise in typing, matching, and transplant outcome data analysis, persons with expertise in the social sciences, basic scientists with expertise in the biology of adult stem cells, and members of the general public; and

''(B) shall include as nonvoting members representatives from the Department of Defense Marrow Donor Recruitment and Research Program operated by the Department of the Navy, the Division of Transplantation of the Health Resources and Services Administration, the Food and Drug Administration, and the National Institutes of Health.

''(5) Members of the Advisory Council shall be chosen so as to ensure objectivity and balance and reduce the potential for conflicts of interest. The Secretary shall establish bylaws and procedures—

''(A) to prohibit any member of the Advisory Council who has an employment, governance, or financial affiliation with a donor center, recruitment organization, transplant center, or cord blood bank from participating in any decision that materially affects the center, recruitment organization, transplant center, or cord blood bank; and

''(B) to limit the number of members of the Advisory Council with any such affiliation.

''(6) The Secretary, acting through the Advisory Council, shall submit to the Congress—

''(A) an annual report on the activities carried out under this section; and

''(B) not later than 6 months after the date of the enactment of the Bone Marrow and Cord Blood Therapy and Research Act of 2005, a report of recommendations on the scientific factors necessary to define a cord blood unit as a high-quality unit.

''(b) ACCREDITATION.—The Secretary shall, through a public process, recognize one or more accreditation entities for the accreditation of cord blood banks.

''(c) FUNCTIONS.—

''(1) BONE MARROW FUNCTIONS.—With respect to bone marrow, the Program shall—

''(A) operate a system for listing, searching, and facilitating the distribution of bone marrow that is suitably matched to candidate patients;

''(B) consistent with paragraph (3), permit transplant physicians, other appropriate health care professionals, and patients to search by means of electronic access all available bone marrow donors listed in the Program;

''(C) carry out a program for the recruitment of bone marrow donors in accordance with subsection (d), including with respect to increasing the representation of racial and ethnic minority groups (including persons of mixed ancestry) in the enrollment of the Program;

''(D) maintain and expand medical contingency response capabilities, in coordination with Federal programs, to prepare for and respond effectively to biological, chemical, or radiological attacks, and other public health emergencies that can damage marrow, so that the capability of supporting patients with marrow damage from disease can be used to support casualties with marrow damage;

''(E) carry out informational and educational activities in accordance with subsection (d);

''(F) at least annually update information to account for changes in the status of individuals as potential donors of bone marrow;

''(G) provide for a system of patient advocacy through the office established under subsection (g);

''(H) provide case management services for any potential donor of bone marrow to whom the Program has provided a notice that the potential donor may be suitably matched to a particular patient through the office established under subsection (g);

''(I) with respect to searches for unrelated donors of bone marrow that are conducted through the system under subparagraph (A), collect, analyze, and publish data in a standardized electronic format on the number and percentage of patients at each of the various stages of the search process, including data regarding the furthest stage reached, the number and percentage of patients who are unable to complete the search process, and the reasons underlying such circumstances;

''(J) support studies and demonstration and outreach projects for the purpose of increasing the number of individuals who are willing to be marrow donors to ensure a genetically diverse donor pool; and

''(K) facilitate and support research to improve the availability, efficiency, safety, and cost of transplants from unrelated donors and the effectiveness of Program operations.

''(2) CORD BLOOD FUNCTIONS.—With respect to cord blood, the Program shall—

''(A) operate a system for listing, searching, and facilitating the distribution of donated cord blood units that are suitably matched to candidate patients and meet all applicable Federal and State regulations (including informed consent and Food and Drug Administration regulations) from a qualified cord blood bank;

''(B) consistent with paragraph (3), allow transplant physicians, other appropriate health care professionals, and patients to search by means of electronic access all available cord blood units made available through the Program;

''(C) allow transplant physicians and other appropriate health care professionals to reserve, as defined by the Secretary, a cord blood unit for transplantation;

''(D) support studies and demonstration and outreach projects for the purpose of increasing cord blood donation to ensure a genetically diverse collection of cord blood units;

''(E) provide for a system of patient advocacy through the office established under subsection (g);

''(F) coordinate with the qualified cord blood banks to carry out informational and educational activities in accordance with subsection (f);

''(G) maintain and expand medical contingency response capabilities, in coordination with Federal programs, to prepare for and respond effectively to biological, chemical, or radiological attacks, and other public health emergencies that can damage marrow, so that the capability of supporting patients with marrow damage from disease can be used to support casualties with marrow damage; and

''(H) with respect to the system under subparagraph (A), collect, analyze, and publish data in a standardized electronic format, as required by the Secretary, on the number and percentage of patients at each of the various stages of the search process, including data regarding the furthest stage reached, the number and percentage of patients who are unable to complete the search process, and the reasons underlying such circumstances.

''(3) SINGLE POINT OF ACCESS; SUBMISSION OF DATA.—

''(A) SINGLE POINT OF ACCESS.—The Secretary shall ensure that health care professionals and patients are able to, at a minimum, locate, consistent with the functions described in paragraphs (1)(A) and (2)(A), cells from bone marrow donors and cord blood units through a single electronic point of access.

''(B) STANDARD DATA.—The Secretary shall require all recipients of contracts under this section to make available a standard dataset for purposes of subparagraph (A) in a standardized electronic format the enables transplant physicians to compare among and between bone marrow donors and cord blood units to ensure the best possible match for the patient.

''(4) DEFINITION.—The term 'qualified cord blood bank' means a cord blood bank that—

''(A) has obtained all applicable Federal and State licenses, certifications, registrations (including pursuant to the regulations of the Food and Drug Administration), and other authorizations required to operate and maintain a cord blood bank;

''(B) has implemented donor screening, cord blood collection practices, and processing methods intended to protect the health and safety of donors and transplant recipients to improve transplant outcomes, including with respect to the transmission of potentially harmful infections and other diseases;

''(C) is accredited by an accreditation entity recognized by the Secretary under subsection (b);

''(D) has established a system of strict confidentiality to protect the identity and privacy of patients and donors in accordance with existing Federal and State law;

''(E) has established a system for encouraging donation by a genetically diverse group of donors; and

''(F) has established a system to confidentially maintain linkage between a cord blood unit and a maternal donor.

''(d) BONE MARROW RECRUITMENT; PRIORITIES; INFORMATION AND EDUCATION.—

''(1) RECRUITMENT; PRIORITIES.—The Program shall carry out activities for the recruitment of bone marrow donors. Such recruitment program shall identify populations that are underrepresented among potential donors enrolled with the Program. In the case of populations that are identified under the preceding sentence:

''(A) The Program shall give priority to carrying out activities under this part to increase representation for such populations in order to enable a member of such a population, to the extent practicable, to have a probability of finding a suitable unrelated donor that is comparable to the probability that an individual who is not a member of an underrepresented population would have.

''(B) The Program shall consider racial and ethnic minority groups (including persons of mixed ancestry) to be populations that have been identified for purposes of this paragraph, and shall carry out subparagraph (A) with respect to such populations.

''(2) INFORMATION AND EDUCATION REGARDING RECRUITMENT; TESTING AND ENROLLMENT.—

''(A) IN GENERAL.—The Program shall carry out informational and educational activities, in coordination with organ donation public awareness campaigns operated through the Department of Health and Human Services, for purposes of recruiting individuals to serve as donors of bone marrow, and shall test and enroll with the Program potential bone marrow donors. Such information and educational activities shall include the following:

''(i) Making information available to the general public, including information describing the needs of patients with respect to donors of bone marrow.

''(ii) Educating and providing information to individuals who are willing to serve as potential bone marrow donors.

''(iii) Training individuals in requesting individuals to serve as potential bone marrow donors.

''(B) PRIORITIES.—In carrying out informational and educational activities under subparagraph (A), the Program shall give priority to recruiting individuals to serve as donors of bone marrow for populations that are identified under paragraph (1).

''(3) TRANSPLANTATION AS TREATMENT OPTION.—In addition to activities regarding recruitment, the recruitment program under paragraph (1) shall provide information to physicians, other health care professionals, and the public regarding bone marrow transplants from unrelated donors as a treatment option.

''(4) IMPLEMENTATION OF SUBSECTION.—The requirements of this subsection shall be carried out by the entity that has been awarded a contract by the Secretary under subsection (a) to carry out the functions described in subsection (c)(1).

''(e) BONE MARROW CRITERIA, STANDARDS, AND PROCEDURES.—The Secretary shall enforce, for participating entities, including the Program, individual marrow donor centers, marrow donor registries, marrow collection centers, and marrow transplant centers—

''(1) quality standards and standards for tissue typing, obtaining the informed consent of donors, and providing patient advocacy;

''(2) donor selection criteria, based on established medical criteria, to protect both the donor and the recipient and to prevent the transmission of potentially harmful infectious diseases such as the viruses that cause hepatitis and the etiologic agent for Acquired Immune Deficiency Syndrome;

''(3) procedures to ensure the proper collection and transportation of the marrow;

''(4) standards for the system for patient advocacy operated under subsection (g), including standards requiring the provision of appropriate information (at the start of the search process and throughout the process) to patients and their families and physicians;

''(5) standards that—

''(A) require the establishment of a system of strict confidentiality of records relating to the identity, address, HLA type, and managing marrow donor center for marrow donors and potential marrow donors; and

''(B) prescribe the purposes for which the records described in subparagraph (A) may be disclosed, and the circumstances and extent of the disclosure; and

''(6) in the case of a marrow donor center or marrow donor registry participating in the program, procedures to ensure the establishment of a method for integrating donor files, searches, and general procedures of the center or registry with the Program.

''(f) CORD BLOOD RECRUITMENT; PRIORITIES; INFORMATION AND EDUCATION.—

''(1) RECRUITMENT; PRIORITIES.—The Program shall support activities, in cooperation with qualified cord blood banks, for the recruitment of cord blood donors. Such recruitment program shall identify populations that are underrepresented among cord blood donors. In the case of populations that are identified under the preceding sentence:

''(A) The Program shall give priority to supporting activities under this part to increase representation for such populations in order to enable a member of such a population, to the extent practicable, to have a probability of finding a suitable cord blood unit that is comparable to the probability that an individual who is not a member of an underrepresented population would have.

''(B) The Program shall consider racial and ethnic minority groups (including persons of mixed ancestry) to be populations that have been identified for purposes of this paragraph, and shall support activities under subparagraph (A) with respect to such populations.

''(2) INFORMATION AND EDUCATION REGARDING RECRUITMENT; TESTING AND DONATION.—

''(A) IN GENERAL.—In carrying out the recruitment program under paragraph (1), the Program shall support informational and educational activities in coordination with qualified cord blood banks and organ donation public awareness campaigns operated through the Department of Health and Human Services, for purposes of recruiting pregnant women to serve as donors of cord blood. Such information and educational activities shall include the following:

''(i) Making information available to the general public, including information describing the needs of patients with respect to cord blood units.

''(ii) Educating and providing information to pregnant women who are willing to donate cord blood units.

''(iii) Training individuals in requesting pregnant women to serve as cord blood donors.

''(B) PRIORITIES.—In carrying out informational and educational activities under subparagraph (A), the Program shall give priority to supporting the recruitment of pregnant women to serve as donors of cord blood for populations that are identified under paragraph (1).

''(3) TRANSPLANTATION AS TREATMENT OPTION.—In addition to activities regarding recruitment, the recruitment program under paragraph (1) shall provide information to physicians, other health care professionals, and the public regarding cord blood transplants from donors as a treatment option.

''(4) IMPLEMENTATION OF SUBSECTION.—The requirements of this subsection shall be carried out by the entity that has been awarded a contract by the Secretary under subsection (a) to carry out the functions described in subsection (c)(2).

''(g) PATIENT ADVOCACY AND CASE MANAGEMENT FOR BONE MARROW AND CORD BLOOD.—

''(1) IN GENERAL.—The Secretary shall establish and maintain, through a contract or other means determined appropriate by the Secretary, an office of patient advocacy (in this subsection referred to as the 'Office').

''(2) GENERAL FUNCTIONS.—The Office shall meet the following requirements:

''(A) The Office shall be headed by a director.

''(B) The Office shall be staffed by individuals with expertise in bone marrow and cord blood therapy covered under the Program.

''(C) The Office shall operate a system for patient advocacy, which shall be separate from mechanisms for donor advocacy, and which shall serve patients for whom the Program is conducting, or has been requested to conduct, a search for a bone marrow donor or cord blood unit.

''(D) In the case of such a patient, the Office shall serve as an advocate for the patient by directly providing to the patient (or family members, physicians, or other individuals acting on behalf of the patient) individualized services with respect to efficiently utilizing the system under paragraphs (1) and (2) of subsection (c) to conduct an ongoing search for a bone marrow donor or cord blood unit and assist with information regarding third party payor matters.

''(E) In carrying out subparagraph (D), the Office shall monitor the system under paragraphs (1) and (2) of subsection (c) to determine whether the search needs of the patient involved are being met, including with respect to the following:

''(i) Periodically providing to the patient (or an individual acting on behalf of the patient) information regarding bone marrow donors or cord blood units that are suitably matched to the patient, and other information regarding the progress being made in the search.

''(ii) Informing the patient (or such other individual) if the search has been interrupted or discontinued.

''(iii) Identifying and resolving problems in the search, to the extent practicable.

''(F) The Office shall ensure that the following data are made available to patients:

''(i) The resources available through the Program.

''(ii) A comparison of transplant centers regarding search and other costs that prior to transplantation are charged to patients by transplant centers.

''(iii) The post-transplant outcomes for individual transplant centers.

''(iv) Information concerning issues that patients may face after a transplant.

''(v) Such other information as the Program determines to be appropriate.

''(G) The Office shall conduct surveys of patients (or family members, physicians, or other individuals acting on behalf of patients) to determine the extent of satisfaction with the system for patient advocacy under this subsection, and to identify ways in which the system can be improved to best meet the needs of patients.

''(3) CASE MANAGEMENT.—

''(A) IN GENERAL.—In serving as an advocate for a patient under paragraph (2), the Office shall provide individualized case management services directly to the patient (or family members, physicians, or other individuals acting on behalf of the patient), including—

''(i) individualized case assessment; and

''(ii) the functions described in paragraph (2)(D) (relating to progress in the search process).

''(B) POSTSEARCH FUNCTIONS.—In addition to the case management services described in paragraph (1) for patients, the Office shall, on behalf of patients who have completed the search for a bone marrow donor or cord blood unit, provide information and education on the process of receiving a transplant, including the post-transplant process.

''(h) COMMENT PROCEDURES.—The Secretary shall establish and provide information to the public on procedures under which the Secretary shall receive and consider comments from interested persons relating to the manner in which the Program is carrying out the duties of the Program.

''(i) CONSULTATION.—In developing policies affecting the Program, the Secretary shall consult with the Advisory Council, the Department of Defense Marrow Donor Recruitment and Research Program operated by the Department of the Navy, and the board of directors of each entity awarded a contract under this section.

''(j) CONTRACTS.—

''(1) APPLICATION.—To be eligible to enter into a contract under this section, an entity shall submit to the Secretary and obtain approval of an application at such time, in such manner, and containing such information as the Secretary shall by regulation prescribe.

''(2) CONSIDERATIONS.—In awarding contracts under this section, the Secretary shall give consideration to the continued safety of donors and patients and other factors deemed appropriate by the Secretary.

''(k) ELIGIBILITY.—Entities eligible to receive a contract under this section shall include private nonprofit entities.

''(l) RECORDS.—

''(1) RECORDKEEPING.—Each recipient of a contract or subcontract under subsection (a) shall keep such records as the Secretary shall prescribe, including records that fully disclose the amount and disposition by the recipient of the proceeds of the contract, the total cost of the undertaking in connection with which the contract was made, and the amount of the portion of the cost of the undertaking supplied by other sources, and such other records as will facilitate an effective audit.

''(2) EXAMINATION OF RECORDS.—The Secretary and the Comptroller General of the United States shall have access to any books, documents, papers, and records of the recipient of a contract or subcontract entered into under this section that are pertinent to the contract, for the purpose of conducting audits and examinations.

''(m) PENALTIES FOR DISCLOSURE.—Any person who discloses the content of any record referred to in subsection (c)(4)(D) or (e)(5)(A) without the prior written consent of the donor or potential donor with respect to whom the record is maintained, or in violation of the standards described in subsection (e)(5)(B), shall be imprisoned for not more than 2 years or fined in accordance with title 18, United States Code, or both.''.

(b) STEM CELL THERAPEUTIC OUTCOMES DATABASE.—Section 379A of the Public Health Service Act (42 U.S.C. 274l) is amended to read as follows:

''SEC. 379A. STEM CELL THERAPEUTIC OUTCOMES DATABASE.

''(a) ESTABLISHMENT.—The Secretary shall by contract establish and maintain a scientific database of information relating to patients who have been recipients of a stem cell therapeutics product (including bone marrow, cord blood, or other such product) from a donor.

''(b) INFORMATION.—The outcomes database shall include information in a standardized electronic format with respect to patients described in subsection (a), diagnosis, transplant procedures, results, long-term follow-up, and such other information as the Secretary determines to be appropriate, to conduct an ongoing evaluation of the scientific and clinical status of transplantation involving recipients of a stem cell therapeutics product from a donor.

''(c) ANNUAL REPORT ON PATIENT OUTCOMES.—The Secretary shall require the entity awarded a contract under this section to submit to the Secretary an annual report concerning patient outcomes with respect to each transplant center, based on data collected and maintained by the entity pursuant to this section.

''(d) PUBLICLY AVAILABLE DATA.—The outcomes database shall make relevant scientific information not containing individually identifiable information available to the public in the form of summaries and data sets to encourage medical research and to provide information to transplant programs, physicians, patients, entities awarded a contract under section 379 donor registries, and cord blood banks.''.

(c) DEFINITIONS.—Part I of title III of the Public Health Service Act (42 U.S.C. 274k et seq.) is amended by inserting after section 379A the following:

''SEC. 379A–1. DEFINITIONS.

''In this part:

''(1) The term 'Advisory Council' means the advisory council established by the Secretary under section 379(a)(1).

''(2) The term 'bone marrow' means the cells found in adult bone marrow and peripheral blood.

''(3) The term 'outcomes database' means the database established by the Secretary under section 379A.

''(4) The term 'Program' means the Bone Marrow and Cord Blood Cell Transplantation Program established under section 379.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 379B of the Public Health Service Act (42 U.S.C. 274m) is amended to read as follows:

''SEC. 379B. AUTHORIZATION OF APPROPRIATIONS.

''For the purpose of carrying out this part, there are authorized to be appropriated $34,000,000 for fiscal year 2006 and $38,000,000 for each of fiscal years 2007 through 2010.''.

(e) CONFORMING AMENDMENTS.—Part I of title III of the Public Health Service Act (42 U.S.C. 274k et seq.) is amended in the part heading, by striking ''**NATIONAL BONE MARROW DONOR REGISTRY**'' and inserting '' **BONE MARROW AND CORD BLOOD CELL TRANSPLANTATION PROGRAM**''.

SEC. 4. REPORT ON LICENSURE OF CORD BLOOD UNITS.

Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Commissioner of Food and Drugs, shall submit to Congress a report concerning the progress made by the Food and Drug Administration in developing requirements for the licensing of cord blood units.

Mr. DODD. Mr. President, I am pleased to join Senator HATCH, Senator BURR, Senator REED, and Senator ENSIGN in introducing legislation that will significantly benefit some of the most gravely ill patients—those in need of a blood stem cell transplant. By reauthorizing the national program for bone marrow, creating a similar program for umbilical cord blood, and expanding the national stockpile of umbilical cord blood units, this legislation will dramatically increase the chances that patients in need of a life-saving transplant will be able to find an appropriate genetic match.

The bill that we are introducing today is similar to legislation that Senator HATCH and I introduced earlier this year to create a national network of cord blood banks and a cord blood registry. However, there are two important differences. First, this legislation is consistent with recommendations made by the Institute of Medicine, IOM, in their recent report, ''Cord Blood: Establishing a National Hematopoietic Stem Cell Bank Program,'' about the structure of a national cord blood program. Second, and more importantly, this bill would also reauthorize the national bone marrow program, and put both bone marrow and cord blood under the auspices of a single national program. This structure reflects the complimentary nature of bone marrow and cord blood, and will ensure that physicians and patients can more easily find the best possible match for transplantation.

The therapeutic benefits of bone marrow are well established. Bone marrow transplants have been used for nearly half a century to treat patients suffering from diseases such as leukemia, Hodgkin's Disease, sickle cell anemia, and others. The use of cord blood as an alternative to bone marrow is a more recent development, but one that is just as promising and exciting.

The bill that we are introducing today will begin a new national commitment to the development of this technology which has the potential to reduce pain and suffering and save the lives of so many Americans afflicted with some of the most debilitating illnesses. Cord blood has already been used successfully in treating a number of diseases, including sickle cell anemia and certain childhood cancers. However, the use of cord blood is still in an early stage relative to the use of bone marrow, and may have even broader application in the II future.

Like many Americans, I had never heard of cord blood before the birth of my first daughter, almost 4 years ago. It is not widely used—at least in this country. Approximately 95 percent of all bone marrow reconstitutions are done using a bone marrow transplant—only 5 percent use cord blood. This figure is surprising when we consider the benefits of cord blood.

First, it can be very difficult to find a suitable bone marrow donor. According to a General Accounting Office, GAO, report, of the 15,231 individuals needing bone marrow transplants between 1997 and 2000 who conducted a preliminary search of the National Bone Marrow Donor Registry, NBMDR, only 4,056 received a transplant—a 27 percent success rate. This number is even lower for minorities. Cord blood would not only produce an additional source of donation; it also does not require as exact a genetic match as bone marrow.

In addition, cord blood is readily available. While it can take months between finding a bone marrow match and actually receiving a transplant, a unit of cord blood can be utilized in a matter of days or weeks. Cord blood also lowers the risk of complications for both the donor and the recipient. The need to extract bone marrow from the donor is eliminated, and the risk of infection or rejection by the recipient is significantly reduced. Finally, research has suggested that cord blood might produce better outcomes than bone morrow in children.

Why then, given all of these benefits, has the use of cord blood not become much more prevalent in the United States? In Japan, where the use of cord blood in clinical settings is more advanced, nearly half of all transplants now use cord blood rather than bone marrow.

The relatively infrequent use of cord blood in our country is at least partly attributable to the lack of a national infrastructure for the matching and distribution of cord blood units. There are a handful of cord blood banks around the country doing excellent work, but there is a much more developed infrastructure for bone marrow. This is thanks to legislation passed by Congress in 1986 that established a national registry for bone marrow, which this bill would reauthorize. Our bill

would create a similar infrastructure for cord blood, operating under the auspices of a newly established Bone Marrow and Cord Blood Cell Transplantation Program. In addition to connecting physicians and patients with a suitable bone marrow donor or cord blood unit, the program would be required to educate the general public about cord blood and bone marrow, and encourage an ethnically diverse population of donors.

Our bill would also provide grants to qualified cord blood banks to acquire 150,000 new cord blood units. This number is consistent with recommendations made by the IOM, and should be sufficient to provide a suitable match for 90 percent of the U.S. population.

Finally, the legislation authorizes an appropriation of $15 million for each of fiscal years 2007 through 2010 for the cord blood inventory grants, and $186 million over the next 5 years for the establishment and maintenance of the Bone Marrow and Cord Blood Cell Transplantation Program.

Before finishing today I would like to make it clear that, just as I believe that cord blood should act as a complement to, not a replacement for, bone marrow, I also believe that cord blood does not eliminate the need for research into the potential benefits of embryonic stem cells. Just as cord blood seems to be preferable to bone marrow for treating certain individuals or conditions—and the reverse is certainly true as well—the same may prove to be true for embryonic stem cells. Certainly, we should provide doctors with the best tools to help cure their patients, whether those tools come from bone marrow, cord blood, embryonic stem cells, or another source entirely.

I firmly believe that the strengthening of our national infrastructure for bone marrow and the creation of a similar infrastructure for cord blood will save the lives of thousands of gravely ill Americans. I urge my colleagues to support this legislation.

Mr. REED. Mr. President, I join my colleagues, Senators ENSIGN, DODD, HATCH, and BURR, in introducing the Bone Marrow and Cord Blood Therapy and Research Act of 2005. This bipartisan legislation represents a critical step forward in expanding access to lifesaving therapies to millions of patients with conditions that can be treated and even cured with bone marrow or cord blood.

The bill we are introducing today builds upon the already highly successful National Marrow Donor Program that has been in operation since 1987. In addition to reauthorizing this program, our bill calls for the establishment of a formal registry of cord blood units available for transplantation and expands to cord blood transplant recipients many of the program's existing functions, such as donor recruitment, education, information, and patient advocacy, presently available to only bone marrow recipients. It creates an umbrella program, aptly called the Bone Marrow and Cord Blood Cell Transplantation Program.

Our legislation also captures many of the key recommendations of the Institute of Medicine, IOM, in their April 2004 report entitled, ''Cord Blood: Establishing a National Hematopoietip Stem Cell Bank Program.'' The report called for a stepped up effort to expand the inventory of cord blood units available for transplantation and, when appropriate, for research. Our bill establishes a grant program for qualified cord blood banks to help facilitate building an inventory of 150,000 new cord blood units. At that level, 95 percent of Americans with a condition that can be treated through a cord blood transplant could find a genetically suitable match. Additionally, the bill establishes an advisory council to consult and make recommendations to ensure the efficient and effective operation of the program.

Another important aspect of this bill is the creation of a demonstration project to study cord blood donations within families where a first degree relative has been I diagnosed with a condition that could benefit from a cord blood transplant. The legislation sets aside 5 percent of the cord blood inventory grants for the collection and storage of cord blood units at no cost to such families. This effort will be beneficial for families who find themselves in the tragic situation of having a sick child with another child on the way whose cord blood could provide a cure to the sibling. This demonstration program ensures that families will have this treatment option available to them.

I believe that the Bone Marrow and Cord Blood Transplantation and Research Act of 2005 represents a strong compromise that upholds the principals my colleagues and I held as essential in developing a combined bone marrow and cord blood program. The bill also builds on the many strengths of the National Marrow Donor Program, which has facilitated over 20,000 transplants since its inception and has built a donor registry of over 5.5 million potential donors.

I urge the support of all of my colleagues for this bipartisan legislation so that we can send it quickly to the President for his signature.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1020. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

SA 1021. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2361, supra; which was ordered to lie on the table.

SA 1022. Mr. BURNS (for Mr. FRIST (for himself and Mr. REID)) proposed an amendment to the bill H.R. 2361, supra.

SA 1023. Mr. DORGAN (for Mrs. BOXER (for herself, Mr. NELSON of Florida, Mrs. CLINTON, Mr. SCHUMER, Mr. OBAMA, Mr. JEFFORDS, and Mr. KERRY)) proposed an amendment to the bill H.R. 2361, supra.

SA 1024. Mr. DORGAN (for Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 2361, supra.

SA 1025. Mr. DORGAN (for himself, and Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, supra.

SA 1026. Mr. SUNUNU (for himself, Mr. BINGAMAN, Mr. MCCAIN, and Mr. FEINGOLD) proposed an amendment to the bill H.R. 2361, supra.

SA 1027. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2361, supra; which was ordered to lie on the table.

SA 1028. Mr. FRIST (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 2361, supra.

SA 1029. Mr. DORGAN (for Mr. KERRY) proposed an amendment to the bill H.R. 2361, supra.

SA 1030. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, supra.

SA 1031. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, supra.

SA 1032. Mr. DORGAN (for Mr. DURBIN) proposed an amendment to the bill H.R. 2361, supra.

SA 1033. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2361, supra.

SA 1034. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 2361, supra; which was ordered to lie on the table.

SA 1035. Mr. DORGAN (for Mr. WYDEN) proposed an amendment to the bill H.R. 2361, supra.

SA 1036. Mr. DORGAN (for Mr. REED) proposed an amendment to the bill H.R. 2361, supra.

SA 1037. Mr. DORGAN (for Mr. REED) proposed an amendment to the bill H.R. 2361, supra.

SA 1038. Mr. SALAZAR proposed an amendment to the bill H.R. 2361, supra.

SA 1039. Mr. SALAZAR proposed an amendment to the bill H.R. 2361, supra.

SA 1040. Mr. BURNS (for Mr. BOND) proposed an amendment to the bill H.R. 2361, supra.

SA 1041. Mr. BURNS (for Mr. CRAIG) proposed an amendment to the bill H.R. 2361, supra.

SA 1042. Mr. WARNER (for Mr. BURNS) proposed an amendment to the bill H.R. 2361, supra.

SA 1043. Mr. DORGAN (for Mr. FEINGOLD) proposed an amendment to the bill H.R. 2361, supra.

SA 1044. Mr. DORGAN (for Mr. BYRD) proposed an amendment to the bill H.R. 2361, supra.

SA 1045. Mr. DORGAN (for Mr. CONRAD) proposed an amendment to the bill H.R. 2361, supra.

SA 1046. Mr. DORGAN (for Mr. SARBANES (for himself, Mr. ALLEN, Mr. WARNER, and Ms. MIKULSKI)) proposed an amendment to the bill H.R. 2361, supra.

SA 1047. Ms. COLLINS (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill H.R. 2361, supra; which was ordered to lie on the table.

SA 1048. Mr. SMITH submitted an amendment intended to be proposed by him to the bill H.R. 2361, supra.

SA 1049. Mr. KYL proposed an amendment to the bill H.R. 2361, supra.

SA 1050. Mr. KYL proposed an amendment to the bill H.R. 2361, supra.

SA 1051. Mr. KYL (for Mr. INHOFE) proposed an amendment to the bill H.R. 2361, supra.

SA 1052. Mr. BYRD (for Mrs. MURRAY (for herself, Mr. BYRD, Mrs. FEINSTEIN, and Mr. AKAKA)) proposed an amendment to the bill H.R. 2361, supra.

SA 1053. Mr. BYRD (for himself and Mr. COCHRAN) proposed an amendment to the bill H.R. 2361, supra.

SA 1054. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, supra.

SA 1055. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, supra.

SA 1056. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, supra.

SA 1057. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, supra.

SA 1058. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, supra.

SA 1059. Mr. DORGAN proposed an amendment to the bill H.R. 2361, supra.

SA 1060. Mr. DORGAN (for Ms. LANDRIEU) proposed an amendment to the bill H.R. 2361, supra.

SA 1061. Mr. DORGAN (for Mr. OBAMA) proposed an amendment to the bill H.R. 2361, supra.

SA 1062. Mr. DORGAN (for Mr. OBAMA) proposed an amendment to the bill H.R. 2361, supra.

SA 1063. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 2361, supra; which was ordered to lie on the table.

SA 1064. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2361, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1020. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . (a) FINDINGS.—The Senate makes the following findings:

(1) The on-budget deficit for fiscal year 2005 is estimated to be $541 billion according to the Congressional Budget Office.

(2) Total publicly-held federal debt on which the American taxpayer pays interest is expected to reach $6 trillion by 2011 according to the Congressional Budget Office.

(3) The United States and its allies are currently engaged in a global war on terrorism.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that:

(1) The servicemen and women of the United States Armed Forces deserve the full support of the Senate as they seek to preserve the safety and security of the American people.

(2) Activities relating to the defense of the United States and the global war on terror should be fully funded.

(3) Activities relating to the defense of the United States and the global war on terror should not be underfunded in order to support increased federal spending on non-defense discretionary activities.

(4) Any additional emergency supplemental appropriations should be offset with reductions in discretionary spending.

SA 1021. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 200, after line 2, add the following:

SEC . . None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to award assistance agreements to national organizations that represent the interests of State, tribal, and local governments unless the award is subject to open competition.

SA 1022. Mr. BURNS (for Mr. FRIST (for himself and Mr. REID)) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title IV, insert the following:

SEC. ___. CONGRESSIONAL SECURITY RELATING TO CERTAIN REAL PROPERTY.

(a) IN GENERAL.—Except as provided under subsection (b)—

(1) the District of Columbia Board of Zoning Adjustments and the District of Columbia Zoning Commission may not take any action to grant any variance relating to the property located at 51 Louisiana Avenue NW, Square 631, Lot 17 in the District of Columbia; and

(2) if any variance described under paragraph (1) is granted before the effective date of this section, such variance shall be set aside and shall have no force or effect.

(b) CONDITIONS FOR VARIANCE.—A variance described under subsection (a) may be granted or shall be given force or effect if—

(1) the Capitol Police Board makes a determination that any such variance shall not—

(A) negatively impact congressional security; and

(B) increase Federal expenditures relating to congressional security;

(2) the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives approve such determination; and

(3) the Capitol Police Board certifies the determination in writing to the District of Columbia Board of Zoning Adjustments and the District of Columbia Zoning Commission.

(c) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act and apply to the remaining portion of the fiscal year in which enacted and each fiscal year thereafter.

SA 1023. Mr. DORGAN (for Mrs. BOXER (for herself, Mr. NELSON of Florida, Mrs. CLINTON, Mr. SCHUMER, Mr. OBAMA, Mr. JEFFORDS, and Mr. KERRY)) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. _____. None of the funds made available in this Act may be used by the Administrator of the Environmental Protection Agency—

(1) to accept, consider, or rely on third-party intentional dosing human studies for pesticides; or

(2) to conduct intentional dosing human studies for pesticides.

SA 1024. Mr. DORGAN (for Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4_____. Section 114 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (16 U.S.C. 460bb–3; Public Law 108–7), is amended—

(1) in the second sentence, by inserting ", including utility expenses of the National Park Service or lessees of the National Park Service" after "Fort Baker properties"; and

(2) by inserting between the first and second sentences the following: "In furtherance of a lease entered into under the first sentence, the Secretary of the Interior or a lessee may impose fees on overnight lodgers at Fort Baker properties.".

SA 1025. Mr. DORGAN (for himself, and Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title IV, add the following:

SEC. 429. (a) IN GENERAL.—Section 7 of the Federal Reserve Act (12 U.S.C. 789 et seq.) is amended by adding at the end the following:

"(d) ADDITIONAL TRANSFERS FOR FISCAL YEAR 2006.—

"(1) IN GENERAL.—The Federal reserve banks shall transfer from the surplus funds of such banks to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury, a total amount of $1,000,000,000 in fiscal year 2006.

"(2) ALLOCATION BY FED.—Of the total amount required to be paid by the Federal reserve banks under paragraph (1) for fiscal year 2006, the Board of Governors of the Federal Reserve System shall determine the amount that each such bank shall pay in such fiscal year.

"(3) REPLENISHMENT OF SURPLUS FUND PROHIBITED.—No Federal reserve bank may replenish the surplus fund of such bank by the amount of any transfer by such bank under paragraph (1) during fiscal year 2006.".

(b) USE OF SURPLUS.—Of amounts transferred to the general fund of the Treasury under section 7(d) of the Federal Reserve Act, as added by this section—

(1) $140,000,000 shall be made available to the Secretary of the Interior for use by the Bureau of Indian Affairs; and

(2) $860,000,000 shall be made available to the Secretary of Health and Human Services for use by the Director of the Indian Health Service in providing Indian health care services and facilities.

SA 1026. Mr. SUNUNU (for himself, Mr. BINGAMAN, Mr. MCCAIN, and Mr. FEINGOLD) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4_____. None of the funds made available by this Act may be used to plan, design,

study, or construct new forest development roads in the Tongass National Forest for the purpose of harvesting timber by private entities or individuals.

SA 1027. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 254, after line 25, add the following:

SEC. 4_____. None of the funds made available by this Act may be used to carry out any study relating to bear DNA, including a bear DNA sampling study.

SA 1028. Mr. FRIST (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4_____. (a) Section 813(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812(a)) is amended by striking ''and (i)'' and inserting ''and (i) (except for paragraph (1)(C))''.

(b) Section 4(i)(1)(C)(i) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*-6a(i)(1)(C)(i)) is amended—

(1) by striking ''Notwithstanding subparagraph (A)'' and all that follows through ''or section 107'' and inserting ''Notwithstanding section 107''; and

(2) by striking ''account under subparagraph (A)'' and inserting ''account under section 807(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6806(a))''.

(c) Except as provided in this section, section 4(i)(1)(C) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*-6a(i)(1)(C)) shall be applied and administered as if section 813(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812(a)) (and the amendments made by that section) had not been enacted.

(d) This section and the amendments made by this section take effect on December 8, 2004.

SA 1029. Mr. DORGAN (for Mr. KERRY) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 429. (a) From any money in the Treasury not otherwise obligated or appropriated, there are appropriated $600,000,000 for the fiscal year ending September 30, 2005, for the Veterans Health Administration.

(b) The amount appropriated under subsection (a) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

SA 1030. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 182, strike lines 20 through 25 and insert the following:

SEC. 110.(a)(1) For fiscal year 2006 and each succeeding fiscal year, any funds made available by this Act for the Southwest Indian Polytechnic Institute and Haskell Indian Nations University for postsecondary programs of the Bureau of Indian Affairs in excess of the amount made available for those postsecondary programs for fiscal year 2005 shall be allocated in direct proportion to the need of the schools, as determined in accordance with the postsecondary funding formula adopted by the Office of Indian Education Programs.

(2) For fiscal year 2007 and each succeeding fiscal year, the Bureau of Indian Affairs shall use the postsecondary funding formula adopted by the Office of Indian Education Programs based on the needs of the Southwest Indian Polytechnic Institute and Haskell Indian Nations University to justify the amounts submitted as part of the budget request of the Department of the Interior.

(b) Notwithstanding any other provision of law, $178,730 is authorized to be appropriated for the Southwest Indian Polytechnic Institute.

SA 1031. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 130, line 2, strike ''$1,000,000'' and insert ''$1,250,000''.

On page 138, line 7, strike ''$2,000,000'' and insert ''$2,500,000''.

On page 146, line 19, strike ''$1,937,000'' and insert ''$2,500,000''.

On page 211, line 25, strike ''$2,000,000'' and insert ''$2,500,000''.

SA 1032. Mr. DORGAN (for Mr. DURBIN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4_____. None of the funds made available by this Act may be used in contravention of, or to delay the implementation of, Executive Order No. 12898 of February 11, 1994 (59 Fed. Reg. 7629; relating to Federal actions to address environmental justice in minority populations and low-income populations).

SA 1033. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4_____. None of the funds made available to the Forest Service under this Act shall be expended or obligated for the demolition of buildings at the Zephyr Shoals property, Lake Tahoe, Nevada.

SA 1034. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 263, after line 25, add the following:

TITLE VI—ARABIA MOUNTAIN NATIONAL HERITAGE AREA

SEC. 601. SHORT TITLE.

This title may be cited as the ''Arabia Mountain National Heritage Area Act''.

SEC. 602. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The Arabia Mountain area contains a variety of natural, cultural, historical, scenic, and recreational resources that together represent distinctive aspects of the heritage of the United States that are worthy of recognition, conservation, interpretation, and continuing use.

(2) The best methods for managing the resources of the Arabia Mountain area would be through partnerships between public and private entities that combine diverse resources and active communities.

(3) Davidson-Arabia Mountain Nature Preserve, a 535-acre park in DeKalb County, Georgia—

(A) protects granite outcrop ecosystems, wetland, and pine and oak forests; and

(B) includes federally-protected plant species.

(4) Panola Mountain, a national natural landmark, located in the 860-acre Panola Mountain State Conservation Park, is a rare example of a pristine granite outcrop.

(5) The archaeological site at Miners Creek Preserve along the South River contains documented evidence of early human activity.

(6) The city of Lithonia, Georgia, and related sites of Arabia Mountain and Stone Mountain possess sites that display the history of granite mining as an industry and culture in Georgia, and the impact of that industry on the United States.

(7) The community of Klondike is eligible for designation as a National Historic District.

(8) The city of Lithonia has 2 structures listed on the National Register of Historic Places.

(b) PURPOSES.—The purposes of this title are as follows:

(1) To recognize, preserve, promote, interpret, and make available for the benefit of the public the natural, cultural, historical, scenic, and recreational resources in the area that includes Arabia Mountain, Panola Mountain, Miners Creek, and other significant sites and communities.

(2) To assist the State of Georgia and the counties of DeKalb, Rockdale, and Henry in the State in developing and implementing an integrated cultural, historical, and land resource management program to protect, enhance, and interpret the significant resources within the heritage area.

SEC. 603. DEFINITIONS.

For the purposes of this title, the following definitions apply:

(1) HERITAGE AREA.—The term ''heritage area'' means the Arabia Mountain National Heritage Area established by section 604.

(2) MANAGEMENT ENTITY.—The term ''management entity'' means the Arabia Mountain Heritage Area Alliance or a successor of the Arabia Mountain Heritage Area Alliance.

(3) MANAGEMENT PLAN.—The term ''management plan'' means the management plan for the heritage area developed under section 606.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of Georgia.

SEC. 604. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.

(a) ESTABLISHMENT.—There is established the Arabia Mountain National Heritage Area in the State.

(b) BOUNDARIES.—The heritage area shall consist of certain parcels of land in the counties of DeKalb, Rockdale, and Henry in the State, as generally depicted on the map entitled ''Arabia Mountain National Heritage Area'', numbered AMNHA–80,000, and dated October 2003.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) MANAGEMENT ENTITY.—The Arabia Mountain Heritage Area Alliance shall be the management entity for the heritage area.

SEC. 605. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.

(a) AUTHORITIES.—For purposes of developing and implementing the management plan, the management entity may—

(1) make grants to, and enter into cooperative agreements with, the State, political subdivisions of the State, and private organizations;

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.

(b) DUTIES.—

(1) MANAGEMENT PLAN.—

(A) IN GENERAL.—The management entity shall develop and submit to the Secretary the management plan.

(B) CONSIDERATIONS.—In developing and implementing the management plan, the management entity shall consider the interests of diverse governmental, business, and nonprofit groups within the heritage area.

(2) PRIORITIES.—The management entity shall give priority to implementing actions described in the management plan, including the following:

(A) Assisting units of government and nonprofit organizations in preserving resources within the heritage area.

(B) Encouraging local governments to adopt land use policies consistent with the management of the heritage area and the goals of the management plan.

(3) PUBLIC MEETINGS.—The management entity shall conduct public meetings at least quarterly on the implementation of the management plan.

(4) ANNUAL REPORT.—For any year in which Federal funds have been made available under this title, the management entity shall submit to the Secretary an annual report that describes the following:

(A) The accomplishments of the management entity.

(B) The expenses and income of the management entity.

(5) AUDIT.—The management entity shall—

(A) make available to the Secretary for audit all records relating to the expenditure of Federal funds and any matching funds; and

(B) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of those funds.

(c) USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—The management entity shall not use Federal funds made available under this title to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this title precludes the management entity from using Federal funds made available under other Federal laws for any purpose for which the funds are authorized to be used.

SEC. 606. MANAGEMENT PLAN.

(a) IN GENERAL.—The management entity shall develop a management plan for the heritage area that incorporates an integrated and cooperative approach to protect, interpret, and enhance the natural, cultural, historical, scenic, and recreational resources of the heritage area.

(b) BASIS.—The management plan shall be based on the preferred concept in the document entitled ''Arabia Mountain National Heritage Area Feasibility Study'', dated February 28, 2001.

(c) CONSIDERATION OF OTHER PLANS AND ACTIONS.—The management plan shall—

(1) take into consideration State and local plans; and

(2) involve residents, public agencies, and private organizations in the heritage area.

(d) REQUIREMENTS.—The management plan shall include the following:

(1) An inventory of the resources in the heritage area, including—

(A) a list of property in the heritage area that—

(i) relates to the purposes of the heritage area; and

(ii) should be preserved, restored, managed, or maintained because of the significance of the property; and

(B) an assessment of cultural landscapes within the heritage area.

(2) Provisions for the protection, interpretation, and enjoyment of the resources of the heritage area consistent with the purposes of this title.

(3) An interpretation plan for the heritage area.

(4) A program for implementation of the management plan that includes—

(A) actions to be carried out by units of government, private organizations, and public-private partnerships to protect the resources of the heritage area; and

(B) the identification of existing and potential sources of funding for implementing the plan.

(5) A description and evaluation of the management entity, including the membership and organizational structure of the management entity.

(e) SUBMISSION TO SECRETARY FOR APPROVAL.—

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the management entity shall submit the management plan to the Secretary for approval.

(2) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the date specified in paragraph (1), the Secretary shall not provide any additional funding under this title until such date as a management plan for the heritage area is submitted to the Secretary.

(f) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 90 days after receiving the management plan submitted under subsection (e), the Secretary, in consultation with the State, shall approve or disapprove the management plan.

(2) ACTION FOLLOWING DISAPPROVAL.—

(A) REVISION.—If the Secretary disapproves a management plan submitted under paragraph (1), the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the management plan; and

(iii) allow the management entity to submit to the Secretary revisions to the management plan.

(B) DEADLINE FOR APPROVAL OF REVISION.—Not later than 90 days after the date on which a revision is submitted under subparagraph (A)(iii), the Secretary shall approve or disapprove the revision.

(g) REVISION OF MANAGEMENT PLAN.—

(1) IN GENERAL.—After approval by the Secretary of a management plan, the management entity shall periodically—

(A) review the management plan; and

(B) submit to the Secretary, for review and approval by the Secretary, the recommendations of the management entity for any revisions to the management plan that the management entity considers to be appropriate.

(2) EXPENDITURE OF FUNDS.—No funds made available under this title shall be used to implement any revision proposed by the management entity under paragraph (1)(B) until the Secretary approves the revision.

SEC. 607. TECHNICAL AND FINANCIAL ASSISTANCE.

(a) IN GENERAL.—At the request of the management entity, the Secretary may provide technical and financial assistance to the heritage area to develop and implement the management plan.

(b) PRIORITY.—In providing assistance under subsection (a), the Secretary shall give priority to actions that facilitate—

(1) the conservation of the significant natural, cultural, historical, scenic, and recreational resources that support the purposes of the heritage area; and

(2) the provision of educational, interpretive, and recreational opportunities that are consistent with the resources and associated values of the heritage area.

SEC. 608. EFFECT ON CERTAIN AUTHORITY.

(a) OCCUPATIONAL, SAFETY, CONSERVATION, AND ENVIRONMENTAL REGULATION.—Nothing in this title—

(1) imposes an occupational, safety, conservation, or environmental regulation on the heritage area that is more stringent than the regulations that would be applicable to the land described in section 604(b) but for the establishment of the heritage area by section 604; or

(2) authorizes a Federal agency to promulgate an occupational, safety, conservation, or environmental regulation for the heritage area that is more stringent than the regulations applicable to the land described in section 604(b) as of the date of enactment of this Act, solely as a result of the establishment of the heritage area by section 604.

(b) LAND USE REGULATION.—Nothing in this title—

(1) modifies, enlarges, or diminishes any authority of the Federal Government or a State or local government to regulate any use of land as provided for by law (including regulations) in existence on the date of enactment of this Act; or

(2) grants powers of zoning or land use to the management entity.

SEC. 609. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $10,000,000, to remain available until expended, of which not more than $1,000,000 may be used in any fiscal year.

(b) FEDERAL SHARE.—The Federal share of the cost of any project or activity carried out using funds made available under this title shall not exceed 50 percent.

SEC. 610. TERMINATION OF AUTHORITY.

The authority of the Secretary to make any grant or provide any assistance under this title shall terminate on September 30, 2016.

SA 1035. Mr. DORGAN (for Mr. WYDEN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4_____. Section 323(a) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 1011 note; Public Law 105–277), is amended by striking ''fiscal year 1999'' and all that follows through ''2005'' and inserting ''for each of fiscal years 2006 through 2015''.

SA 1036. Mr. DORGAN (for Mr. REED) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 198, lines 21 and 22, strike ''Notwithstanding CERCLA 104(k)(4)(B)(i)(IV), appropriated funds for fiscal year 2006'' and insert the following: ''Notwithstanding section 104(k)(4)(B)(i)(IV) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(4)(B)(i)(IV)), beginning in fiscal year 2006 and thereafter, appropriated funds ''

SA 1037. Mr. DORGAN (for Mr. REED) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 200, between lines 2 and 3, insert the following:

Beginning in fiscal year 2006 and thereafter, notwithstanding any other provision of law, recipients of grants provided under section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) may use the grant funds for reasonable administrative expenses, as determined by the Administrator of the Environmental Protection Agency.

SA 1038. Mr. SALAZAR proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 171, line 13, strike ''$94,627,000'' and insert ''$87,627,000''.

On page 172, line 17, strike ''$235,000,000'' and insert ''$242,000,000''.

SA 1039. Mr. SALAZAR proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4_____. (a) Notwithstanding subsection (b)(3) of section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8), any user fees collected under that Act with respect to recreational and related activities in a State shall be paid to the State in which the fees were collected.

(b) Amounts paid to a State under subsection (a) shall be in addition to, and shall not reduce, the apportionment of the collecting State under section 6(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–8(b)).

SA 1040. Mr. BURNS (for Mr. BOND) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 154, line 12, strike ''That'' and insert ''That from the amount provided for the biological research activity, $200,000 shall be made available to the University of Missouri-Columbia to establish a wetland ecology center of excellence: *Provided further*, That''.

SA 1041. Mr. BURNS (for Mr. CRAIG) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, add the following: ''*Provided further*, That, subject to valid existing rights, all land and interests in land acquired in the Thunder Mountain area of the Payette National Forest (including patented claims and land that are encumbered by unpatented claims or previously appropriated funds under this section, or otherwise relinquished by a private party) are withdrawn from mineral entry or appropriation under Federal mining laws, and from leasing claims under Federal mineral and geothermal leasing laws.''.

SA 1042. Mr. WARNER (for Mr. BURNS) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 149, line 7, after ''acquisitions,'', insert the following: ''of which $4,285,000 shall be made available for the replacement of the main gate facility at the Filene Center, Wolf Trap National Park for the Performing Arts, Virginia,''.

SA 1043. Mr. DORGAN (for Mr. FEINGOLD) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 249, line 19, before the period, insert the following: ''conducted in accordance with generally accepted full cost accounting principles''.

On page 250, between lines 23 and 24, insert the following:

(e) AUDIT.—(1) In this subsection:

(A) The term ''baseline organization'' means the organization performing the work to be studied prior to initiation of a competitive sourcing study under this section.

(B) The term ''new organization'' means the private contractor, or the most efficient public agency, and associated management and oversight functions used at the conclusion of a competitive sourcing study under this section.

(2) Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct an audit of the competitive sourcing program of the Forest Service.

(3) The audit shall include—

(A) an analysis of the costs and benefits of the competitive sourcing initiative conducted by the Forest Service;

(B) an analysis of existing procedures to track (in accordance with full cost accounting principles) all costs required to calculate accurate savings or losses attributable to a competitive sourcing study, and recommendations on how the existing procedures can be improved, including all costs attributable to developing, implementing, supporting, managing, monitoring, and reporting on competitive sourcing (including personnel, consultant, travel, and training costs associated with program management), including—

(i) costs incurred by the Forest Service before initiation of the competitive sourcing study in performing the work to be studied with the baseline organization;

(ii) costs of performing the competitive sourcing study, including—

(I) travel and per diem costs;

(II) training and communications costs;

(III) contractor costs; and

(IV) the cost to the Federal Government of Federal employees working on any aspect of the study or performing any work necessitated by the study;

(iii) costs of implementing the competitive sourcing study results, including costs described in clause (ii) and costs associated with buyouts, transfers of station, and reductions in force;

(iv) ongoing operational costs of performing the work with the new organization employed as a result of competitive sourcing study, including any modifications to the contract or letter of obligation necessitated by omissions in the statement of work of the solicitation;

(v) costs associated with oversight and maintenance of the contract or letter of obligation;

(vi) savings realized or costs borne by the Forest Service that are not included under clause (iv), including savings or costs due to—

(I) changes in the timeliness or quality of the work provided by the new organization;

(II) changes in procedures of the Forest Service necessitated by the new organization;

(III) the assignment to employees or contractors outside of the new organization of duties previously performed by the baseline organization; and

(IV) changes in the availability of personnel to perform high priority fire suppression or other emergency response work on a collateral basis; and

(vii) costs of maintaining and operating a competitive sourcing infrastructure, including office, salary, contractor, and travel costs associated with the Forest Service Competitive Sourcing Office and the cost to the Federal Government of Federal employees for the time for which the employees are managing the program;

(C) recommendations on what accounting practices should be adopted by the Forest Service to improve accountability;

(D) an evaluation of the comparative efficiencies of the Forest Service competitive sourcing and business process reengineering procedures; and

(E) an analysis of—

(i) the A–76 study that resulted in the information services organization and the continuing Federal Government activity;

(ii) the A–76 study of Region 5 fleet maintenance work that resulted in the transfer of work to Serco; and

(iii) the financial management improvement project, accomplished by means of business process reengineering.

SA 1044. Mr. DORGAN (for Mr. BYRD) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 139, line 5, before the period insert the following: '': *Provided further*, That of the total amounts made available under this heading, $350,000 shall be made available for the mussel program at the White Sulphur Springs National Fish Hatchery''.

SA 1045. Mr. DORGAN (for Mr. CONRAD) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 195, line 7, after ''costs'', insert the following: '', of which $200,000 shall be made available for a brownfields assessment of the Fortuna Radar Site''.

SA 1046. Mr. DORGAN (for Mr. SARBANES (for himself, Mr. ALLEN, Mr. WARNER, and Ms. MIKULSKI)) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4_____. Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

''(43)(A) The Captain John Smith Chesapeake National Historic Watertrail, a series of routes extending approximately 3000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, Pennsylvania, and Delaware and the District of Columbia that traces Captain John Smith's voyages charting the land and waterways of the Chesapeake Bay and the tributaries of the Chesapeake Bay.

''(B) The study shall be conducted in consultation with Federal, State, regional, and local agencies and representatives of the private sector, including the entities responsible for administering—

''(i) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; Public Law 105–312); and

''(ii) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267).''.

SA 1047. Ms. COLLINS (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 200, line 23, after ''Fund'', insert the following: ''and of which $32,320,000 shall be made available for the forest stewardship program (of which $5,000,000 shall be made available for the Downeast Lakes Forestry Partnership, Maine, including for the acquisition of land by the Partnership)''.

SA 1048. Mr. SMITH submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Departments of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . BISCUIT FIRE RECOVERY PROJECT, REPORT.

(a) Within 90 days of enactment of this Act, the Secretary of Agriculture shall submit to Congress a report regarding the rehabilitation of the Biscuit Fire area in southern Oregon, including:

(1) the change in reforestation capabilities and costs between the date of the containment of the Biscuit Fire and the completion of the Biscuit Fire Recovery Project, as detailed in the Record of Decision;

(2) the commercial value lost, as well as recovered, of fire-killed timber within the Biscuit Fire area; and

(3) all actions included in the Record of Decision for the Biscuit Fire Recovery Project, but forgone because of delay or funding shortfall.

SA 1049. Mr. KYL proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 195, line 9, after the semicolon, insert the following: ''$500,000 shall be for debt retirement for the State Water Pollution Control Revolving Fund for the wastewater treatment plant in Safford, Arizona; $3,000,000 shall be for the expansion of the wastewater treatment plant in Lake Havasu City, Arizona; $1,000,000 shall be for the expansion of the wastewater treatment plant in Avondale, Arizona;''.

SA 1050. Mr. KYL proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4_____. Section 604 of the Federal Water Pollution Control Act (33 U.S.C. 1384) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by striking subsection (a) and inserting the following:

''(a) DEFINITIONS.—In this subsection:

''(1) NEEDS SURVEY.—The term 'needs survey' means a need survey under section 516(2).

''(2) NEEDS SURVEY PERCENTAGE.—The term 'needs survey percentage', with respect to a State, means the percentage applicable to the State under a formula for the allotment of funds made available to carry out this section for a fiscal year to States in amounts determined by the Administrator, based on the ratio that—

''(A) the needs of a State described in categories I through VII of the most recent needs survey; bears to

''(B) the needs of all States described in categories I through VII of the most recent needs survey.

''(3) STATE.—The term 'State' means—

''(A) a State;

''(B) the District of Columbia; and

''(C) the Commonwealth of Puerto Rico.

''(b) ALLOCATIONS.—

''(1) IN GENERAL.—Funds made available to carry out this section for a fiscal year shall be allocated by the Administrator in accordance with this subsection.

''(2) INDIAN TRIBES.—Of the total amount of funds available for a fiscal year, the Administrator shall reserve, before making allotments to States under paragraph (4), not less than 1.5 percent of the funds to be allocated to Indian tribes (within the meaning of section 518(c)).

''(3) CERTAIN TERRITORIES AND FREELY ASSOCIATED STATES.—Of the total amount of funds made available for a fiscal year, 0.25 percent shall be allocated to and among, as determined by the Administrator—

''(A) Guam;

''(B) American Samoa;

''(C) the Commonwealth of the Northern Mariana Islands;

''(D) the Federated States of Micronesia;

''(E) the Republic of the Marshall Islands;

''(F) the Republic of Palau; and

''(G) the United States Virgin Islands.

''(4) STATES.—

''(A) TARGET ALLOCATION.—Each State shall have a target allocation for a fiscal year, which—

''(i) in the case of a State for which the needs survey percentage is less than 1.0 percent, shall be 1.0 percent; and

''(ii) in the case of any other State, shall be the most recent needs survey percentage.

''(B) UNALLOCATED BALANCE.—Any unallocated balance of available funds shall be allocated in equal parts to all States that, in the most recent needs survey, report higher total needs both in absolute dollar terms and as a percentage of total United States needs.''.

SA 1051. Mr. KYL (for Mr. INHOFE) proposed an amendment, to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year end September 30, 2006, and for other purposes; as follows:

On page 200, after line 2, the following:

SEC. .

None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to award assistance agreements to national organizations that represent the interests of State, tribal, and local governments unless the award is subject to open competition.

SA 1052. Mr. BYRD (for Mrs. MURRAY (for herself, Mr. BYRD, Mrs. FEINSTEIN, Mr. KERRY, Mr. AKAKA, and Mr. DURBIN)) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 429.(a) From any money in the Treasury not otherwise obligated or appropriated, there are appropriated to the Department of Veterans Affairs $1,420,000,000 for the fiscal year ending September 30, 2005, for medical services provided by the Veterans Health Administration, of which $420,000,000 shall be divided evenly between the Veterans Integrated Service Networks.

(b) The amount appropriated under subsection (a)—

(1) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress); and

(2) shall remain available until expended.

(c) This section shall take effect on the date of enactment of this Act.

SA 1053. Mr. BYRD (for himself and Mr. COCHRAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 189, after line 20, add the following:

SEC. 128. (a) For necessary expenses for the Memorial to Martin Luther King, Jr., there is hereby made available to the Secretary of the Interior $10,000,000, to remain available until expended, for activities authorized by section 508 of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 8903 note; Public Law 104–333).

(b) Section 508(c) of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 8903 note; Public Law 104–333) is amended by striking the second sentence.

(c) Notwithstanding any other provision of this Act, the amount reduced in Title I in the second proviso under the heading Departmental Management, Salaries and Expenses, is further reduced by $10,000,000.

SA 1054. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 130, line 2, strike ''$1,000,000'' and insert ''$1,250,000''.

On page 138, line 7, strike ''$2,000,000'' and insert ''$2,500,000''.

On page 146, line 19, strike ''$1,937,000'' and insert ''$2,500,000''.

On page 211, line 25, strike ''$2,000,000'' and insert ''$2,500,000''.

SA 1055. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 250, between lines 23 and 24, insert the following:

(e) In carrying out any competitive sourcing study involving Forest Service employees, the Secretary of Agriculture shall—

(1) determine whether any of the employees concerned are also qualified to participate in wildland fire management activities; and

(2) take into consideration and document the effect that contracting with a private sector source would have on the ability of the Forest Service to effectively and efficiently fight and manage wildfires.

SA 1056. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

Beginning on page 255, strike line 1 and all that follows through page 263, line 22.

SA 1057. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

Beginning on page 255, strike line 1 and all that follows through page 263, line 22, and insert the following:

SEC. 4_____. Section 329 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (16 U.S.C. 580d note; Public Law 107–63) is amended—

(1) in subsection (b), by striking ''40 sites'' and inserting ''60 sites'';

(2) in subsection (c), by striking ''13 sites'' and inserting ''25 sites''; and

(3) in subsection (d), by striking ''2008'' and inserting ''2009''.

SA 1058. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

Beginning on page 255, strike line 1 and all that follows through page 263, line 25, and insert the following:

TITLE V—FACILITY REALIGNMENT AND ENHANCEMENT ACT OF 2005

SEC. 501. SHORT TITLE.

This title may be cited as the ''Forest Service Facility Realignment and Enhancement Act of 2005''.

SEC. 502. DEFINITIONS.

In this title:

(1) ADMINISTRATIVE SITE.—

(A) IN GENERAL.—The term ''administrative site'' means—

(i) any facility or improvement, including curtilage that was acquired or is used specifically for purposes of administration of the National Forest System; and

(ii) any associated Federal land necessary to include for efficient administration of the National Forest System that was acquired or is utilized specifically for purposes of administration of Forest Service activities and underlies or abuts an administrative facility, improvement, or curtilage; or

(iii) up to 10 isolated parcels of not more than 80 acres which were acquired for administrative purposes but have not been utilized, such as vacant town lots outside of a National Forest proclaimed boundary.

(B) INCLUSIONS.—The term ''administrative site'' includes—

(i) a forest headquarters;

(ii) a ranger station;

(iii) a research station or laboratory;

(iv) a dwelling;

(v) a warehouse;

(vi) a scaling station;

(vii) a fire-retardant mixing station;

(viii) a lookout;

(ix) a visitor center;

(x) a guard station;

(xi) a storage facility;

(xii) a telecommunication facility; and

(xiii) other administrative installations for conducting Forest Service activities.

(C) EXCLUSIONS.—Federal land to be conveyed under this Act shall not include—

(i) any area within a unit of the National Forest System specifically designated for resource protection, conservation, or recreational purposes, including land within the National Wilderness Preservation System, the Wild and Scenic River System, and National Monuments; or

(ii) land that is needed for resource management purposes or that would be in the public interest to retain.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the General Services Administration.

(3) MARKET ANALYSIS.—The term ''market analysis'' means the identification and study of the real estate market for a particular economic good or service.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

SEC. 503. AUTHORIZATION OF CONVEYANCES.

(a) IN GENERAL.—For fiscal years 2006–2009, the Secretary may convey, by sale, lease, exchange, a combination of sales and exchanges, or by other means, any administrative site or interest in an administrative site that is—

(1) except for those administrative sites described in section 502(1)(A)(iii), less than 40 acres for each administrative site or compound of administrative sites; and

(2) under the jurisdiction of the Secretary.

(b) LEAD-BASED PAINT AND ASBESTOS ABATEMENT.—

(1) IN GENERAL.—Notwithstanding any other provisions of law, in any conveyance under subsection (a), the Secretary shall not be required to mitigate or abate lead-based paint or asbestos-containing building materials with respect to the administrative site conveyed.

(2) NOTICE.—Notwithstanding paragraph (1), if the administrative site being conveyed has lead-based paint or asbestos-containing building materials, the Secretary shall—

(A) provide to the person acquiring the administrative site notice of the presence of lead-based paint or asbestos-containing material; and

(B) obtain from the person acquiring the administrative site a written assurance that the person will comply with applicable Federal, State, and local laws relating to the management of the lead-based paint or asbestos-containing materials.

(c) FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES.—A conveyance under this section shall not be subject to subchapter I of chapter 5, title 40, United States Code.

(d) NOTICE TO CONGRESS.—At least once a year, the Secretary shall submit to the Committee on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Appropriations and the Committee on Energy and Natural Resources of the Senate notice of any conveyances under this section.

(e) ENVIRONMENTAL REVIEW.—In any environmental review or analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the disposal of an administrative site under this section, the Secretary shall only consider or analyze the most reasonably foreseeable use of the administrative site as determined through a market analysis and whether to reserve any right, title, or interest in the administrative site under subsection (f)(3).

(f) CONFIGURATION OF LAND.—

(1) IN GENERAL.—To facilitate a conveyance under this section, the Secretary may configure the administrative site to be conveyed to—

(A) maximize the marketability of the administrative site; and

(B) achieve management objectives.

(2) IMPROVEMENTS.—Improvements to the administrative site to be conveyed may be severed from the land and disposed of in separate conveyances.

(3) RESERVATION.—In any disposition of an administrative site under this section, the Secretary may reserve any right, title, and interest in and to the administrative site that the Secretary determines to be necessary, including—

(A) a reservation of water rights;

(B) a right-of-way; and

(C) a utility easement.

(g) CONSIDERATION.—

(1) AMOUNT.—In consideration for a conveyance authorized under subsection (a), the purchaser shall pay to the Secretary the amount that is equal to the fair market value of the administrative site conveyed, as provided in paragraph (3).

(2) APPRAISAL.—The Secretary shall determine fair market value by—

(A) conducting an appraisal that is performed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal practice; or

(B) competitive sale.

(3) FORM.—

(A) SALE.—Consideration for a sale under this section shall be paid in cash on conveyance of the administrative site.

(B) EXCHANGE.—

(i) EQUAL IN VALUE.—Consideration for an exchange of land or an improvement to land under this section shall be in the form of a conveyance of land or improvement that is equal in value to the administrative site conveyed.

(ii) NOT EQUAL IN VALUE.—If the values of land or improvements to be exchanged under this Act and described in clause (i) are not equal, the values may be equalized by—

(I) the Secretary making a cash payment to the purchaser;

(II) the purchaser making a cash equalization payment to the Secretary; or

(III) reducing the value of the administrative site or the non-Federal land or improvements, as appropriate.

(h) REJECTION OF OFFERS.—The Secretary shall reject any offer made under this section if the Secretary determines that the offer is not—

(1) adequate to provide market value under subsection (g)(1); or

(2) in the public interest.

(i) BROKERAGE SERVICES.—The Secretary may use the proceeds of sales or exchanges under this section to pay reasonable commissions or fees for brokerage services if the Secretary determines that the services are in the public interest.

(j) DISPOSITION OF PROCEEDS.—

(1) IN GENERAL.—After deducting any costs of the Secretary relating to a conveyance, the Secretary shall deposit the proceeds from the conveyance in the fund established under Public Law 90–171 (commonly known as the ''Sisk Act'') (16 U.S.C. 484a).

(2) USE.—Amounts deposited under paragraph (1) shall remain available to the Secretary until expended, without further appropriation, to pay any necessary and incidental costs of the Secretary for the acquisition, improvement, deferred maintenance, construction of new facilities; and disposition of administrative sites and capital improvements on National Forest System land.

(k) CONSULTATION WITH ADMINISTRATOR.—As appropriate, the Secretary is encouraged to work with the Administrator with respect to the conveyance of administrative sites.

SEC. 504. WORKING CAPITAL FUND.

(a) IN GENERAL.—Section 13 of the Department of Agriculture Organic Act of 1956 (16 U.S.C. 579b) is amended to read as follows:

''SEC. 13. WORKING CAPITAL FUND.

''(a) ESTABLISHMENT.—There is established a working capital fund (referred to in this section as the 'Fund'), which shall be available without fiscal year limitation.

''(b) USE.—Amounts in the Fund shall be used to pay the costs of purchasing, constructing, performing capital repairs on, renovating, rehabilitating, disposing, or replacing buildings and to carry out deferred maintenance and improvements to land for programs of the Forest Service, subject to any limitations in appropriations for the Forest Service.

''(c) TRANSFER AND CAPITALIZATION.—The Secretary of Agriculture (referred to in this section as the 'Secretary') may—

''(1) transfer to the Fund, without reimbursement, and capitalize in the Fund at fair and reasonable values, any receivables, inventories, equipment, buildings, improvements, and other assets as the Secretary determines to be appropriate; and

''(2) assume the liabilities associated with the assets transferred under paragraph (1).

''(d) ADVANCE PAYMENTS.—The fund shall be credited with advance payments in connection with firm orders and reimbursements from appropriations and funds of the Forest Service, other departmental and Federal agencies, and from other sources, as authorized by law, at rates approximately equal to the cost of furnishing the facilities and service.''.

(b) SAVINGS CLAUSE.—The amendment made by subsection (a) shall not affect the status of funds and assets in the working capital fund established by section 13 of the Department of Agriculture Organic Act of 1956 (16 U.S.C. 579b) as in effect on the date of enactment of this section.

SA 1059. Mr. DORGAN proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

SEC. . FAMILY TRAVEL TO CUBA IN HUMANITARIAN CIRCUMSTANCES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Treasury shall issue a general license for travel to, from, or within Cuba to any person subject to the jurisdiction of the United States (and any member of the person's immediate family) for the purpose of visiting a member of the person's immediate family for humanitarian reasons.

(b) DEFINITIONS.—In this section:

(1) MEMBER OF THE PERSON'S IMMEDIATE FAMILY.—The term ''member of the person's immediate family'' means—

(A) the person's spouse, child, grandchild, parent, grandparent, great-grandparent, uncle, aunt, brother, sister, nephew, niece, first cousin, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law, or brother-in-law; or

(B) the spouse, widow, or widower of any relative described in subparagraph (A).

(2) HUMANITARIAN REASONS.—The term ''humanitarian reasons'' means—

(A) to visit or care for a member of the person's immediate family who is seriously ill, injured, or dying;

(B) to make funeral or burial arrangements for a member of the person's immediate family;

(C) to attend religious services related to a funeral or a burial of, a member of the person's immediate family.

SA 1060. Mr. DORGAN (for Ms. LANDRIEU) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

Page 147, line 25 strike ''$72,500,000'' and insert ''$67,000,000''.

Page 148, line 1 after 2007, insert ''of which $3,500,000 is for Historically Black Colleges and Universities.''

Page 172 line 4 strike ''$10,000,000'' and insert ''$13,500,000''.

SA 1061. Mr. DORGAN (for Mr. OBAMA) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place insert:

SEC. . None of the funds made available in this Act may be used in contravention of 15 U.S.C. §2682(c)(3) or to delay the implementation of that section.

SA 1062. Mr. DORGAN (for Mr. OBAMA) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place insert:

Provided, That of the funds made available under the heading ''Environmental Programs and Management,'' not less than $100,000 shall be made available to issue the proposed rule required under 15 U.S.C. §2682(c)(3) by November 1, 2005, and promulgate the final rule required under 15 U.S.C. §2682(c)(3) by September 30, 2006.

SA 1063. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 150, line 22, strike ''$86,005,000'' and insert ''$85,655,000''.

On page 254, after line 25, add the following:

SEC. 4_____. The Secretary shall use $350,000 to fund phase II improvements to the wastewater treatment plant in Moultrie, Georgia.

SA 1064. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 4_____. Beginning in fiscal year 2006 and thereafter, the Secretary of Interior or the Secretary of Agriculture shall not use any Federal funds for the purpose of imposing, or considering the imposition of, requirements to restrict or limit the diversion, storage, transportation, or use of water under vested water rights that are—

(1) recognized under Colorado law; and

(2) associated with a facility that is—

(A) in existence on the date of enactment of this Act; and

(B) used for the diversion, storage, transportation, or use of water that is located in whole or in part on Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Tuesday, June 28, 2005, at 10 a.m., in room 106 of the Dirksen Senate Office Building to conduct an oversight hearing on the Regulation of Indian Gaming. Those wishing additional information may contact the Indian Affairs Committee.

COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN. Mr. PRESIDENT, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 29, 2005, at 9:30 a.m., in room 485 of the Russell Senate Office Building to conduct a business meeting on the following:

(1) S.J. Res. 15, A bill to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States.

(2) S. 374, A bill to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River.

(3) S. 113, A bill to modify the date as of which certain tribal land of the Lytton Rancheria is deemed to be held in trust.

(4) S. 881, A bill to compensate the Spokane Tribe of Indians for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes.

(5) S. 449, A bill to facilitate shareholder consideration of proposals to make Settlement Common Stock under the Alaska Native Claims Settlement Act available to missed enrollees, eligible elders, and persons born after Dec. 18, 1971, and for other purposes.

(6) H.R. 797/S. 475, A bill to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other acts to improve housing programs for Indians.

(7) S. 623, A bill to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, UT, and for other purposes.

(8) S. 598, 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.

(9) S. , A bill to condemn certain subsurface rights to land held trust by the State of Arizona, and convey subsurface rights held by BLM, for the Pascua Yaqui Tribe.

(10) S. , A bill to authorize funding for the National Indian Gaming Commission.

(11) S. 1239, A bill to authorize the use of Indian Health Service funds to pay Medicare Part D premiums on behalf of Indians.

(12) S. 1231, A bill to provide initial funding for the National Fund for Excellence in American Indian Education previously established by Congress.

(13) S. , A bill to require former Federal employees who are employed by tribes to adhere to conflict of interest rules.

(14) S. , A bill to amend the Tribally Controlled Community College and Universities Assistance Act.

Those wishing additional information may contact the Indian Affairs Committee.

RED TIDE EMERGENCY RELIEF ACT OF 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. 1316 introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1316) to authorize the Small Business Administration to provide emergency relief to shellfish growers affected by toxic red tide losses.

There being no objection, the Senate proceeded to consider the bill.

Mr. KERRY. Mr. President, today Senator SNOWE and I have introduced a bill to help a group of nearly 300 fishermen, known as aquaculturists, who are falling through the cracks of the Government's disaster assistance programs. Right now these businesses are prohibited from receiving SBA disaster loans, and they are eligible for USDA disaster loans only under limited circumstances.

To our dismay, we have learned that SBA has come across this dilemma many times in the past, most recently last year in Connecticut, and yet no one at that agency has ever tried to coordinate with the Department of Agriculture. To make matters worse, the SBA waited two weeks to let us know that they wouldn't be able to serve all our small businesses. So even in those cases in which these harmed small businesses would be eligible for loans from the USDA, hundreds of small businesses are left waiting for the Secretary of Agriculture to go through the same hoops to certify a disaster and make that agency's disaster loans available. I appreciate all the Farm Service Agency has done to expedite the process, and compliment their staff for being so responsive. However, this isn't right.

Our State has been hit by the worst case of red tide in more than 30 years. These small business owners have seen their income disappear because they can't sell their inventory. With no income they can't pay their bills, invest in seeds to plant future crops, and they can't afford to maintain their current crops. They need access to these low-cost loans to help them makes ends meet until the Government opens the shores and declares shellfish once again safe to eat.

Businesses in trouble can't, and shouldn't have to, wait for this redtape to be resolved. To make sure this doesn't happen in the future, I am joining Senator SNOWE to make it possible for aquaculturists to be eligible for SBA economic injury disaster loans. This will complement what the Department of Agriculture's Farm Services Agency can offer in disaster loans. I want to also assure my colleagues that businesses are only eligible for loans through the SBA or Farm Service Agency but not both. This is already prohibited by law, and the agencies have in place procedures to protect against misuse. I than Senator SNOWE for working with me to help our fishermen hurting from red tide.

I ask unanimous consent that an article on this problem be printed in the RECORD.

There being no objection, the material was ordered to be printed in the Record, as follows:

SHELLFISH GROWERS FEEL SNUBBED BY ''RED TIDE'' LOAN PROGRAM

(By Michael Kunzelman)

BOSTON.—Shellfish grower Barbara Austin has been out of work, just like hundreds of shellfishermen, ever since a toxic ''red tide'' closed shellfishing areas across the state earlier this month.

The difference is that she and nearly 300 other aquaculturists aren't eligible for the same low-interest loans to help them weather the financial storm.

Austin, of Wellfleet, pursued a loan from the Small Business Administration before learning they're reserved for the state's roughly 1,500 shellfishermen. The state's 287 licensed aquaculturists, who plant and harvest shellfish, aren't eligible because the SBA considers them farmers, not fishermen.

Austin said the rule was ''kind of a slap in the face.''

''If they're going to make offers like this, they should have been clear about what they're really offering,'' she said Tuesday.

In response, members of the state's congressional delegation Tuesday sent a letter to Agriculture Secretary Mike Johanns, urging him to make emergency financial assistance available to aquaculturists and fish farmers in eight Massachusetts counties.

Democratic Sen. Edward M. Kennedy, who also spearheaded a letter to Federal Emergency Management Agency Director Michael Brown asking him to meet with the delegation, said FEMA should coordinate the federal disaster relief for those affected by the red tide.

The shellfishermen, said Sen. John Kerry, D–Mass., ''shouldn't be blocked from receiving low interest loans because of bureaucratic red tape.''

The SBA's enforcement of an ''obscure rule'' was a surprise, said Mark Forest, district director for U.S. Rep. William Delahunt, D–Mass.

''Obviously, we are not pleased,'' Forest said. ''We're working to get the problem fixed quickly.''

Efforts to reach SBA regional director William Leggerio weren't immediately successful Tuesday.

On June 9, Gov. Mitt Romney declared a state of emergency and asked the SBA for disaster assistance for the shellfishing industry, which is losing an estimated $3 million a week. Less than a week later, the SBA announced that it would offer loans of up to $1.5 million with a 4 percent interest rate.

Other forms of financial assistance could be available soon. The state also is asking for disaster aid from the Federal Emergency Management Agency.

In the meantime, most of the shellfish beds shut down along the coast of Massachusetts will remain closed for at least four to five more weeks, state shellfish biologist Michael Hickey said Tuesday.

Hickey said the size and intensity of the toxic algae bloom is dropping in the waters off the North Shore and Cape Cod, but it could take two more weeks for the bloom to completely disappear. After that, he added, it would take two to three more weeks before shellfish beds can reopen.

''The good news is that areas we do have open are safe. The shellfish on the market is safe. The beaches are safe,'' Hickey said. ''The bad news is, it's not over. (The bloom) is not going to be over for another couple of weeks.''

The red tide algae contaminates shellfish such as clams and mussels, making them unsafe for people and animals to eat. The outbreak is the region's worst since 1972.

Mr. MCCONNELL. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1316) was read the third time and passed, as follows:

S. 1316

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 ''Red Tide Emergency Relief Act of 2005''.

SEC. 2. FINDINGS.

Congress finds that—

(1) shellfish growers, known as ''aquaculturists'', from the Schoodic Peninsula in Maine to Buzzards Bay in Massachusetts have suffered substantial economic injury due to the worst occurrence of toxic algae bloom, known as ''Red Tide'', along the New England Coast since 1972;

(2) toxins produced by the Red Tide algae contaminate shellfish like clams and mussels, making them unsafe for people and animals to eat, forcing the extended closure of shellfish beds along contaminated areas.

(3) hundreds of shellfish growers have been affected by the Red Tide, and losses industrywide are estimated at $3 million a week; and

(4) shellfish growers are currently considered to be agricultural enterprises, and are therefore ineligible for economic injury disaster loans available to other small business concerns through the Small Business Administration;

(5) shellfish growers are only eligible for emergency loans through the Farm Service Agency of the Department of Agriculture under limited circumstances;

(6) the Small Business Act should be amended to make shellfish growers eligible for emergency small business assistance, as a complement to assistance otherwise offered through Federal programs.

SEC. 3. AUTHORITY TO PROVIDE DISASTER ASSISTANCE TO AQUACULTURE ENTERPRISES.

Section 18(b)(1) of the Small Business Act (15 U.S.C. 647(b)(1)) is amended—

(1) by striking ''aquaculture,''; and

(2) by inserting before the semicolon at the end '', other than aquaculture''.

PARTNERS FOR FISH AND WILDLIFE ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 134, S. 260.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 260) to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners for Fish and Wildlife Program.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Environment and Public Works, with amendments.

[Strike the parts shown in black brackets and insert the part shown in italic.]

S. 260

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 ''Partners for Fish and Wildlife Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) approximately 60 percent of fish and wildlife in the United States are on private land;

(2) it is imperative to facilitate private landowner-centered and results-oriented efforts that promote efficient and innovative ways to protect and enhance natural resources;

(3) there is no readily available source of technical biological information that the public can access to assist with the application of state-of-the-art techniques to restore, enhance, and manage fish and wildlife habitats;

(4) a voluntary cost-effective program that leverages public and private funds to assist private landowners in the conduct of state-of-the-art fish and wildlife habitat restoration, enhancement, and management projects is needed;

(5) durable partnerships working collaboratively with willing private landowners to implement on-the-ground projects has lead to the reduction of endangered species listings;

(6) Executive Order No. 13352 (69 Fed. Reg. 52989) directs the Departments of the Interior, Agriculture, Commerce, and Defense and the Environmental Protection Agency to pursue new cooperative conservation programs involving the collaboration of Federal, State, local, and tribal governments, private for-profit and non-profit institutions, non-governmental entities, and individuals;

(7) since 1987, the Partners for Fish and Wildlife Program has exemplified cooperative conservation as an innovative, voluntary partnership program that helps private landowners restore wetland and other important fish and wildlife habitat; and

(8) through 33,103 agreements with private landowners, the Partners for Fish and Wildlife Program has accomplished the restoration of 677,000 acres of wetland, 1,253,700 acres of prairie and native grasslands, and 5,560 miles of riparian and in-stream habitat since 1987, demonstrating much of that success since only 2001.

(b) PURPOSE.—The purpose of this Act is to provide for the restoration, enhancement, and management of fish and wildlife habitats on private land through the Partners for Fish and Wildlife Program, a program that works with private landowners to conduct cost-effective habitat projects for the benefit of fish and wildlife resources in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) FEDERAL TRUST SPECIES.—The term ''Federal trust species'' means migratory birds, threatened species, endangered species, interjurisdictional fish, marine mammals, and other species of concern.

(2) HABITAT ENHANCEMENT.—

(A) IN GENERAL.—The term ''habitat enhancement'' means the manipulation of the physical, chemical, or biological characteristics of a [native] habitat to change a specific function or seral stage of the [native] habitat.

(B) INCLUSIONS.—The term ''habitat enhancement'' includes—

(i) an activity conducted to increase or decrease a specific function for the purpose of benefitting species, including—

(I) increasing the hydroperiod and water depth of a stream or wetland beyond what would naturally occur;

(II) improving waterfowl habitat conditions;

(III) establishing water level management capabilities for native plant communities;

(IV) creating mud flat conditions important for shorebirds; and

(V) cross fencing or establishing a rotational grazing system on native range to improve grassland nesting bird habitat conditions; and

(ii) an activity conducted to shift a native plant community successional stage, including—

(I) burning an established native grass community to reduce or eliminate invading brush or exotic species;

(II) brush shearing to set back early successional plant communities; and

(III) forest management that promotes a particular seral stage.

(C) EXCLUSIONS.—The term ''habitat enhancement'' does not include regularly scheduled and routine maintenance and management activities, such as annual mowing or spraying of unwanted vegetation.

(3) HABITAT ESTABLISHMENT.—The term ''habitat establishment'' means the manipulation of physical, chemical, or biological characteristics of a project site to create and maintain habitat that did not previously exist on the project site, including construction of—

(A) shallow water impoundments on nonhydric soils; and

(B) side channel spawning and rearing habitat.

(4) HABITAT IMPROVEMENT.—The term ''habitat improvement'' means restoring [or artificially providing], *enhancing, or establishing* physiographic, hydrological, or disturbance conditions necessary to establish or maintain native plant and animal communities, including periodic manipulations to maintain intended habitat conditions on completed project sites.

(5) HABITAT RESTORATION.—

(A) IN GENERAL.—The term ''habitat restoration'' means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning the majority of natural functions to the lost or degraded native habitat.

(B) INCLUSIONS.—The term ''habitat restoration'' includes—

(i) an activity conducted to return a project site, to the maximum extent practicable, to the ecological condition that existed prior to the loss or degradation, including—

(I) removing tile drains or plugging drainage ditches in former or degraded wetland;

(II) returning meanders and sustainable profiles to straightened streams;

(III) burning grass communities heavily invaded by exotic species to reestablish native grass and plant communities; and

(IV) planting plant communities that are native to the project site;

(ii) if restoration of a project site to its original ecological condition is not practicable, an activity that repairs 1 or more of the original habitat functions and that involve the use of native vegetation, including—

(I) the installation of a water control structure in a swale on land isolated from overbank flooding by a major levee to simulate natural hydrological processes; and

(II) the placement of streambank or instream habitat diversity structures in streams that cannot be restored to original conditions or profile; and

(iii) removal of a disturbing or degrading element to enable the native habitat to reestablish or become fully functional.

(6) PRIVATE LAND.—

(A) IN GENERAL.—The term ''private land'' means any land that is not owned by the

Federal Government[, a State, or a political subdivision of a State] *or a State*.

(B) INCLUSIONS.—The term ''private land'' includes tribal land and Hawaiian homeland.

(7) PROJECT.—The term ''project'' means a project carried out under the Partners for Fish and Wildlife Program established by section 4.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

[SEC. 4. PARTNERS FOR FISH AND WILDLIFE PROGRAM.

[The Secretary shall carry out the Partners for Fish and Wildlife Program within the United States Fish and Wildlife Service to provide technical and financial assistance to private landowners for the conduct of voluntary projects to benefit Federal trust species by promoting habitat improvement, habitat restoration, habitat enhancement, and habitat establishment.]

SEC. 4. PARTNERS FOR FISH AND WILDLIFE PROGRAM.

[The Secretary shall carry out the Partners for Fish and Wildlife Program within the United States Fish and Wildlife Service to provide—

(1) technical and financial assistance to private landowners for the conduct of voluntary projects to benefit Federal trust species by promoting habitat improvement, habitat restoration, habitat enhancement, and habitat establishment; and

(2) technical assistance to other public and private entities regarding fish and wildlife habitat restoration on private land.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act not more than $75,000,000 for each of fiscal years 2006 through 2011.

Mr. MCCONNELL. I ask unanimous consent the committee-reported amendments be agreed to, the bill as amended be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The bill (S. 260), as amended, was read the third time and passed, as follows:

S. 260

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 ''Partners for Fish and Wildlife Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) approximately 60 percent of fish and wildlife in the United States are on private land;

(2) it is imperative to facilitate private landowner-centered and results-oriented efforts that promote efficient and innovative ways to protect and enhance natural resources;

(3) there is no readily available source of technical biological information that the public can access to assist with the application of state-of-the-art techniques to restore, enhance, and manage fish and wildlife habitats;

(4) a voluntary cost-effective program that leverages public and private funds to assist private landowners in the conduct of state-of-the-art fish and wildlife habitat restoration, enhancement, and management projects is needed;

(5) durable partnerships working collaboratively with willing private landowners to implement on-the-ground projects has lead to the reduction of endangered species listings;

(6) Executive Order No. 13352 (69 Fed. Reg. 52989) directs the Departments of the Interior, Agriculture, Commerce, and Defense and the Environmental Protection Agency to pursue new cooperative conservation programs involving the collaboration of Federal, State, local, and tribal governments, private for-profit and non-profit institutions, non-governmental entities, and individuals;

(7) since 1987, the Partners for Fish and Wildlife Program has exemplified cooperative conservation as an innovative, voluntary partnership program that helps private landowners restore wetland and other important fish and wildlife habitat; and

(8) through 33,103 agreements with private landowners, the Partners for Fish and Wildlife Program has accomplished the restoration of 677,000 acres of wetland, 1,253,700 acres of prairie and native grasslands, and 5,560 miles of riparian and in-stream habitat since 1987, demonstrating much of that success since only 2001.

(b) PURPOSE.—The purpose of this Act is to provide for the restoration, enhancement, and management of fish and wildlife habitats on private land through the Partners for Fish and Wildlife Program, a program that works with private landowners to conduct cost-effective habitat projects for the benefit of fish and wildlife resources in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) FEDERAL TRUST SPECIES.—The term ''Federal trust species'' means migratory birds, threatened species, endangered species, interjurisdictional fish, marine mammals, and other species of concern.

(2) HABITAT ENHANCEMENT.—

(A) IN GENERAL.—The term ''habitat enhancement'' means the manipulation of the physical, chemical, or biological characteristics of a habitat to change a specific function or seral stage of the habitat.

(B) INCLUSIONS.—The term ''habitat enhancement'' includes—

(i) an activity conducted to increase or decrease a specific function for the purpose of benefitting species, including—

(I) increasing the hydroperiod and water depth of a stream or wetland beyond what would naturally occur;

(II) improving waterfowl habitat conditions;

(III) establishing water level management capabilities for native plant communities;

(IV) creating mud flat conditions important for shorebirds; and

(V) cross fencing or establishing a rotational grazing system on native range to improve grassland nesting bird habitat conditions; and

(ii) an activity conducted to shift a native plant community successional stage, including—

(I) burning an established native grass community to reduce or eliminate invading brush or exotic species;

(II) brush shearing to set back early successional plant communities; and

(III) forest management that promotes a particular seral stage.

(C) EXCLUSIONS.—The term ''habitat enhancement'' does not include regularly scheduled and routine maintenance and management activities, such as annual mowing or spraying of unwanted vegetation.

(3) HABITAT ESTABLISHMENT.—The term ''habitat establishment'' means the manipulation of physical, chemical, or biological characteristics of a project site to create and maintain habitat that did not previously exist on the project site, including construction of—

(A) shallow water impoundments on non-hydric soils; and

(B) side channel spawning and rearing habitat.

(4) HABITAT IMPROVEMENT.—The term ''habitat improvement'' means restoring, enhancing, or establishing physiographic, hydrological, or disturbance conditions necessary to establish or maintain native plant and animal communities, including periodic manipulations to maintain intended habitat conditions on completed project sites.

(5) HABITAT RESTORATION.—

(A) IN GENERAL.—The term ''habitat restoration'' means the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning the majority of natural functions to the lost or degraded native habitat.

(B) INCLUSIONS.—The term ''habitat restoration'' includes—

(i) an activity conducted to return a project site, to the maximum extent practicable, to the ecological condition that existed prior to the loss or degradation, including—

(I) removing tile drains or plugging drainage ditches in former or degraded wetland;

(II) returning meanders and sustainable profiles to straightened streams;

(III) burning grass communities heavily invaded by exotic species to reestablish native grass and plant communities; and

(IV) planting plant communities that are native to the project site;

(ii) if restoration of a project site to its original ecological condition is not practicable, an activity that repairs 1 or more of the original habitat functions and that involve the use of native vegetation, including—

(I) the installation of a water control structure in a swale on land isolated from overbank flooding by a major levee to simulate natural hydrological processes; and

(II) the placement of streambank or instream habitat diversity structures in streams that cannot be restored to original conditions or profile; and

(iii) removal of a disturbing or degrading element to enable the native habitat to reestablish or become fully functional.

(6) PRIVATE LAND.—

(A) IN GENERAL.—The term ''private land'' means any land that is not owned by the Federal Government or a State.

(B) INCLUSIONS.—The term ''private land'' includes tribal land and Hawaiian homeland.

(7) PROJECT.—The term ''project'' means a project carried out under the Partners for Fish and Wildlife Program established by section 4.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 4. PARTNERS FOR FISH AND WILDLIFE PROGRAM.

The Secretary shall carry out the Partners for Fish and Wildlife Program within the United States Fish and Wildlife Service to provide—

(1) technical and financial assistance to private landowners for the conduct of voluntary projects to benefit Federal trust species by promoting habitat improvement, habitat restoration, habitat enhancement, and habitat establishment; and

(2) technical assistance to other public and private entities regarding fish and wildlife habitat restoration on private land.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act not more than $75,000,000 for each of fiscal years 2006 through 2011.

SPONSORSHIP OF AMENDMENT NO. 98

Mr. MCCONNELL. Mr. President, I ask unanimous consent all references to amendment No. 98, which was adopted by the Senate on Wednesday, June 23, reflect that the sponsor is Senator CONRAD, not Senator OBAMA.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JUNE 28, 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Tuesday, June 28. 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, and immediately proceed to a vote on passage as provided under the previous order.

I further ask consent that the Senate stand in recess from 12:30 to 2:15 to accommodate the weekly party luncheons.

I now ask unanimous consent that second-degree amendments be relevant to the first degree to which they are offered.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Mr. President, tomorrow the Senate will resume consideration of the Energy bill. Under a previous agreement, we will immediately proceed to a vote on the passage of that bill. Following the disposition of the Energy bill, the Senate will resume consideration of the Interior appropriations bill.

We have had a number of amendments offered to the bill, and we will begin working through those amendments tomorrow morning. Senators should expect votes in relation to amendments throughout the day tomorrow. It is our hope we will be able to move the bill to passage sometime during tomorrow's session. Following passage of the Interior appropriations bill, we expect to begin consideration of the Homeland Security appropriations bill.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. MCCONNELL. 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 6:24 p.m., adjourned until Tuesday, June 28, 2005, at 9:45 a.m.

EXTENSIONS OF REMARKS

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes:

Mr. NADLER. Mr. Chairman, I rise today to note that during the debate on the Nadler amendment to H.R. 3010, which would have restored funding to Arts in Education programs, a procedural error occurred.

The RECORD will reflect that at the end of the debate, as a result of the agreement by Chairman REGULA to work to maintain funds for Arts in Education programs in conference, I stated that I would not seek a vote on my amendment. Immediately following the debate, however, in his haste to keep the proceedings moving, the Chair called a vote, contradicting my intention to withdraw my amendment. With nobody apparently listening, or realizing there was a vote in progress—no "aye" or "nay" vote was heard—the Chair declared the voice vote in the negative.

I would like the RECORD to reflect that it was my intention to withdraw my amendment, because of Chairman REGULA's commitment to the Arts in Education program. I trust that commitment will not be affected by the procedural error.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes:

Mr. DAVIS of Illinois. Mr. Chairman, I rise in strong opposition to Mr. PAUL's amendment that would bar Federal funds from being used for mental health screening programs. This amendment misunderstands the recommendations offered by President Bush's New Freedom Commission on Mental Health, minimizes the importance of mental health to the well-being of Americans, and threatens vital efforts to promote access to mental health services.

Mental health is one of the greatest problems facing our Nation. During any one-year period, up to 50 million Americans—more than 22 percent—suffer from a clearly diagnosable mental disorder involving a degree of incapacity that interferes with employment, attendance at school or daily life. Among other things, mental health affects whether one gets involved in substance abuse, commits violence, follows through on medical advice, cares for a child, performs his work, and engages in healthy behaviors. In short, one's mental health affects almost every aspect of life.

I believe strongly in the need to support children's physical and mental health, while respecting parental rights. Recognizing that early childhood is a critical period for the onset of emotional and behavioral problems, the President's Commission encouraged organizations that work with children to improve early identification of children with mental health needs. Research shows that early detection, assessment, and connection to treatment and support helps prevent mental health problems from worsening. Because more than 52 million students attend schools in the U.S., the Commission recognized that schools are in a key position to identify mental health problems early and help link children to appropriate services. The Commission in no way recommends mandatory legislation or any effort to circumvent parental consent to screening. Quite the opposite, in fact. It repeatedly recommends that child-serving organizations work with parents to support identification and treatment efforts.

Like so many disorders, mental illness does not discriminate and effects every age, ethnic, and socioeconomic group. Given its widespread effect on individuals and society, we need to put more emphasis on mental health, not less. I urge my colleagues to vote against the Paul amendment.

DAVID MUELLER OF WESTFIELD, INDIANA

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. PENCE. Mr. Speaker, for many years we in this body have been discussing the issue of the use of methyl bromide and the impact of the elimination of this chemical as stated in the Montreal Protocol. We must look at how this will affect our diverse economy as well as lay the groundwork for new alternatives to replace methyl bromide. As signatories to the Montreal Protocol, the United States negotiators have a responsibility to Congress and the Administration to seek an acceptable balance as they travel to Montreal in a few days to attend the Twenty-fifth Open-Ended Working Group Meeting of the Parties to the Montreal Protocol, Second Extraordinary Meeting of the Parties, and associated meetings 26 June–2 July 2005.

I am proud to say that the answer to this international problem is found right in the State of Indiana and is being promoted by a Hoosier with a vision to create a safer environment while at the same time stimulating growth in the Hoosier economy.

This person is David Mueller of Westfield, Indiana. He is a fumigator and the son of a flour miller and has been fumigating since he was a teenager. His privately owned family business was founded in 1981 and has 25 employees.

Methyl bromide is a product that his company Fumigation Service & Supply, Inc. began using in the 1980s for fumigating flourmills, food processing structures, and post harvest commodities throughout the United States. At one point Mr. Mueller and his company used or sold over 300,000 lbs of methyl bromide per year in the early 1990s. This represented about 55 percent of their total fumigation business.

As of January 1, 2005, this Indiana company no longer uses methyl bromide, How did they phase out of this biocide?

In 1995 they heard that methyl bromide was going to be phased out under the Montreal Protocol. Dave understood that the loss of methyl bromide would have a dramatic effect on his business. He attended several domestic and international meetings to determine if this was a true story. After determining that alternatives would, in fact, be required under the U.S. Clean Air Act and the international treaty signed by President Reagan called the Montreal Protocol, his company began to search for credible alternatives.

As a stored product entomologist, Mr. Mueller started this search process by looking at methyl bromide and how it affects the insects and other pests. It is a biocide that kills like napalm. When it touches something, it kills it: egg, larva, pupa and adult. Other fumigants needed more time or a higher dosage rate to work. However, he understood that the respiration of the insects could be increased substantially by increasing the temperature in the flourmills and food factories or choosing the warmest time of the year to plan the scheduled fumigations.

By increasing the temperature of the insects they were observed to become stressed, dehydrated, and would die faster. The dosage rates for conventional fumigants and insecticides like phosphine, dichlorvos, and sulfuryl fluoride worked better, faster, and at lower dosage rates when temperatures of 90–100° F (30–40° C) were created.

He also added carbon dioxide (3–5 percent) to the mix to allow for better mortality and shorter shutdown times for these post harvest fumigations. The carbon dioxide makes the insects and rodents breathe harder and faster allowing the fumigants to kill better and faster.

This is called the combination fumigation method.

The ten-year findings to this search for alternatives to methyl bromide showed those who were willing to listen that credible alternatives to methyl bromide do exist. The combination of heat and/or carbon dioxide added to existing E.P.A. registered fumigants and insecticides offers credible, technical, and economic alternatives to methyl bromide.

During this search for alternatives, Mr. Mueller noticed that many companies don't use methyl bromide. He asked how they do it. The answer was simple, they don't fumigate because they do all the things that they should do to prevent having to fumigate. Brand name companies like Frito Lay, Nestle, PepsiCo, Kal Kan, Purina, Gerber, Procter and Gamble, Wal-Mart, and many more don't fumigate with methyl bromide. Good cleaning, good prevention and monitoring strategies to be proactive rather than reactive have allowed these companies to prioritize their sanitation program with excellent results and corporate reputations. Their brand names are the best in the industry because they spend the resources to stop the insects and other pests from entering their facilities. If pests do get through the "gatekeeper" they have strategies to monitor for their early detection. Local treatments are then applied in a timely manner to eliminate any outbreaks. This is post harvest IPM and it works for those willing to be proactive instead of reactive.

In summary, life without methyl bromide is possible. This Hoosier company is doing it and other companies are doing it with credible alternatives for the protection of the environment. There is a price to pay for protecting the environment and everyone can find credible alternatives if they search for them like Fumigation Service & Supply, Inc. did. Companies that continue to use methyl bromide when there are credible alternatives available should spend the time, resources, and effort to make the right choice as did Mr. Mueller and Fumigation Supply & Service, Inc.

TRIBUTE TO THE BOOKER T. WASHINGTON JUNIOR-SENIOR HIGH SCHOOL CLASS OF 1963

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. MEEK of Florida. Mr. Speaker, I want to pay tribute to the reunion of Miami-Dade County's Booker T. Washington's class of 1963. In a special way, I commend this dedicated group of alumni, who entered our community's landmark institution in 1957. Forty-two years later, the members of this class are journeying to Washington, DC to celebrate a memorable "60th Birthday Bash," beginning on July 21, 2005.

Indeed, these distinguished alumni symbolize a cadre of young men and women daring to be great in their own right during their years at the school. Inspired by their motto, "Not the largest, but the best," this class represents a convergence of their desire to achieve greater enhancement of our noble traditions and the meaning of our common struggles.

Booker T. Washington is truly a school for students of all ages. It was established in the days of segregation in 1926 and underwent many and varied changes, including its conversion to middle school status. But through the resilience of this class, its members achieved the unthinkable and convinced the Miami-Dade County School Board to reinstate its senior high school status in August 1999.

The alumni are now prominent members of our community and occupy positions of honor and prestige in many professions at the local, State and Federal levels. Among its distinguished leaders is Les Brown, who is on the national speakers' circuit, advising people of all ages to strive to be the best they can be; the Miami Dolphin's extraordinary athlete Larry Little; professor and author Audrey Thomas McCluskey of Indiana University; teacher-of-the-year awardee Laurasteen Thompson Jones, who continues to tutor children in innercity schools; preeminent educator Roberta Thompson Daniels; and educational counselor Stanley Squire—these are but a few of the members of the class of '63. They are bonded by their quest to serve others, and together they evoke a unique family of achievers and dreamers who have prided themselves in enduring the same burdens for the sake of others, especially the less fortunate.

As the class of '63 gathers to revive the memories of years gone by, I fully recognize the character of the members' genuine friendship that has given them hope and optimism for a better future amidst life's unceasing challenges. I am proud of this distinguished class because it represents the best and the noblest of our Miami-Dade County community and beyond amidst the countless struggles they have had to endure during a most difficult time of their years of learning. I look forward to their helping us cherish a genuine love for our proud heritage and enlighten us with greater wisdom while they continue to uphold the good name of their Alma Mater, Booker T. Washington High School.

COMMENDING PAUL WILLIAM CANFIELD UPON THE OCCASION OF RECEIVING THE YMCA COACH OF THE YEAR AWARD

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to commend Paul William Canfield, a resident of Chautauqua County, City of Jamestown, upon the occasion of receiving the YMCA Coach of the Year Award.

Paul was honored at the Jamestown YMCA annual meeting for his dedication and devotion to his job and the community. This honor was given to Paul for his exemplary services at the YMCA, not only as a volunteer, but also as a staff member.

In addition to donating his time and energy to the YMCA, Paul is also a special education teacher for the Jamestown Public Schools. Mr. Canfield has shown extreme devotion and generosity to the community, and I am proud, Mr. Speaker, to have the opportunity to honor him here today.

CLARIFICATION OF REPRESENTATIVE GRIJALVA AS AN ORIGINAL COSPONSOR OF H.R. 3051

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. KOLBE. Mr. Speaker, on Thursday, June 23, I introduced H.R. 3051, the Pima County Land Adjustment Act. At introduction I inadvertently did not indicate Representative RAÚL GRIJALVA as an original cosponsor. Representative GRIJALVA made significant contributions during the authoring of this legislation and played an integral role throughout the process. Although the House rules do not permit Representative GRIJALVA's name to be shown as an original cosponsor of H.R. 3051, I wish to clarify that he rightly deserves this recognition. I would like to express my sincerest apologies to Representative GRIJALVA and his staff for this inadvertent oversight.

INTRODUCTION OF THE PARENTS' TAX RELIEF ACT

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. TERRY. Mr. Speaker, I rise today to introduce the Parents' Tax Relief Act, PTRA, to empower parents who choose to stay home with their children.

This legislation will end the longstanding inequity in the Tax Code that encourages day care above stay-at-home parenting. It will also help parents to spend more time with their children by encouraging flexible employment opportunities such as home-based businesses and telecommuting jobs.

Congress should recognize and support the incredible sacrifices parents make to raise their children. I have heard from Nebraska families who struggle to make ends meet so one parent can stay at home and provide the love, care and attention that every child deserves. The high Federal tax burden, which falls most heavily on the middle-class, has unfortunately made this option extremely difficult, if not unreachable, for many families.

Parents perform a tremendous balancing act between work and family responsibilities. It can be difficult for families to survive without a second income, much of which goes towards day care and work-related expenses such as dry-cleaning bills and gasoline, but which can also support grocery bills, medical expenses and savings for a child's future education.

Greater tax relief will make it a more realistic option for parents to stay at home with their little ones in the early formative years that are so crucial to children's physical, mental and emotional development. The legislation that I am introducing today will improve options for parents to contribute to family income while staying at home for their children, including home-based businesses and telecommuting jobs.

It is clear that parents want these options. A comprehensive study on balancing work and family, conducted by four major charitable foundations, found that 70 percent of parents

believe the best arrangement for the care of young children is to have one parent at home. An ABC News poll last month showed that 77 percent of parents agree that while it may be necessary for a mother to work and contribute to family income, it would be better if she could stay home to care for the house and children.

In a parenting survey done for Warner Books, 87 percent of mothers said they would stay at home to raise their children if they could afford it. The Family and Work Institute reported that 70 percent of working parents feel they lack enough time with their children, and nearly two-thirds of all workers would reduce their work hours by an average 11 hours a week if they could.

In addition, 62 percent of parents with preschoolers want policymakers to concentrate on making it more affordable for a parent to stay at home during a child's first few years than on improving the quality and affordability of day care. In fact, 53 percent of parents preferred direct tax cuts to stay-at-home-parents, while only 1 in 3, 33 percent, would cut costs for families using day care. Members of Congress should trust in the judgement of parents, especially regarding the care of preschool children.

The Parents' Tax Relief Act, which I am introducing today with a dozen original cosponsors, contains seven major tax improvements to empower parents and strengthen families in America:

First, this legislation extends the Dependent Care Tax Credit to parents who choose to be at home with their children. Established in 1954, this credit allows families to claim up to 35 percent of $3,000 in documented, non-parental child care costs, and 35 percent of $6,000 in day care expenses for two children. Families who make the financial sacrifice to have one parent stay at home for their children should also benefit from this tax credit.

Second, the Parents' Tax Relief Act will make the $1,000 child tax credit permanent and index it to inflation to retain its long-term value. This tax relief is critical for Nebraska families with dependent children.

Third, this legislation will double the personal income tax exemption to half of its original 1948 value, from $3,100 to $5,000. From 1948 to 1963 when this exemption was equivalent to $10,000 in today's inflation-adjusted dollars, America witnessed a ''marriage boom,'' a ''baby boom,'' and a decline in the divorce rate. There is evidence suggesting these outcomes were significantly advanced by federal tax policy to strengthen families. Doubling the personal income tax exemption provides critical support to families with children, as well as elderly or disabled dependents.

Fourth, the Parents' Tax Relief Act eliminates the marriage tax penalty once and for all. This penalty discourages the sacred institution of marriage by unfairly taxing married couples filing jointly at a higher rate than two single individuals earning the same income. The 2001 tax cut law reduced this penalty by doubling the standard deduction for joint filers, and doubling the size of the 15 percent tax bracket for married couples. Unfortunately, these reforms will expire by 2010, along with the rest of the tax cuts enacted by Congress. The Parents' Tax Relief Act will extend marriage tax relief to all tax brackets to prevent the government from discouraging marriage or forcing both parents into the workforce.

Fifth, this legislation will support parents who operate a home-based business in order to spend more time with their children. The bill establishes a standard home-office tax deduction to replace complicated IRS regulations that prevent many small business owners from deducting legitimate expenses. The Congressional Budget Office estimates that nine. million of the 17.3 million small businesses in the United States are homebased, and 55 percent are operated by women. Many home businesses are started to provide a secondary income.

Sixth, the Parents' Tax Relief Act encourages telecommuting for families with young children. It will create a Telecommuting Tax Credit allowing employers to deduct a portion of a telecommuting employee's wages for income tax purposes. It will also support President Bush's budget request to allow individuals to exclude from income the value of employer-provided computers and related equipment necessary for work from home. Telecommuting is one way mothers or fathers can stay at home with their children while still contributing to family income.

Finally, the Parents' Tax Relief Act protects the Social Security benefits of women or men who choose to stay-at-home with preschool children. When a parent leaves the workforce to be at home with a child, the family's finances may not only suffer, but career opportunities and future earnings potential may be diminished. Parents who stay at home to care for children during prime working years may also jeopardize their future Social Security benefits—especially in the unfortunate case of disability or divorce.

The Parents' Tax Relief Act addresses the realities stay-at-home parents face by allowing up to 10 years of flexible Social Security employment credits for parents who stay at home to raise children age six and under. Public policy should recognize and safeguard stay-at-home parenting as valuable work that contributes to the character and security of our Nation.

These seven tax improvements will empower parents and strengthen families. The Federal government must not tax parents out of their homes at the expense of children. I am pleased to note that Senator SAM BROWNBACK is introducing this legislation in the other Chamber. It is my hope this bill will address the needs of modem families who want to stay at home with their children without decimating their family finances.

I urge my colleagues to support families by cosponsoring the Parents' Tax Relief Act today.

TRIBUTE TO THE REVEREND MONSIGNOR PETER M. POLANDO

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. RYAN of Ohio. Mr. Speaker, I rise today in recognition of The Reverend Monsignor Peter M. Polando, who celebrates the twenty-fifth anniversary of his ordination this year.

Monsignor Polando was born in Youngstown, Ohio in 1954, and was ordained in 1980 at Youngstown's Cathedral of St. Columba. He has led a distinguished life, marked by numerous degrees of higher education, an array of honors and awards, and a variety of career positions that have impacted many throughout Ohio. His impressive educational background includes a Bachelor of Arts degree from St. Gregory Seminary, Masters of Arts degrees from Mount St. Mary Seminary of the West, Notre Dame University, and Ursuline College, and a licentiate in Cannon Law from Catholic University of America.

Monsignor Polando is a Chaplain of His Holiness, a high honor that was bestowed upon him by Pope John Paul II in 1997. Bishop Tobin, former head of the Youngstown Diocese, appointed him to the position of Adjutant Judicial Vicar of the Diocese of Youngstown in 2003. Monsignor Polando has served as Supreme Chaplain, Vice President and National Chaplain for the First Catholic Slovak Union of the United States and Canada, and as a Chaplain and Pastor for various churches, parishes, and organizations throughout Ohio. He has worked as an instructor at Walsh University, Ursuline College, and Cardinal Mooney High School, where he also served as principal and a cross country and track coach.

Monsignor Polando is also an active member of many organizations and societies including alumni associations, Knights of Columbus, Youngstown Council of Catholic Nurses and several Catholic Slovak organizations, including Slovak Catholic Sokol Wreaths 54 and 108, First Catholic Slovak Ladies Association Branch 169, and Ladies Pennsylvania Slovak Catholic Union.

Monsignor Polando has touched the lives of many with his dedication and faith, and I would like to honor and congratulate him on his twenty-fifth anniversary of his ordination.

A STATEMENT BY SECRETARY OF STATE CONDOLEEZZA RICE AT THE AMERICAN UNIVERSITY IN CAIRO

HON TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. LANTOS. Mr. Speaker, I rise today to inform my colleagues of the forthright, courageous, and eloquent speech on democratization that Secretary of State Condoleezza Rice delivered on June 20, 2005, to an audience at the American University in Cairo during her trip this week to Egypt.

In Cairo, Secretary Rice acknowledged that democracies may vary somewhat from place to place, but she emphasized that there are certain ground-rules common to all democracies: ''the right to speak freely, the right to associate, the right to worship as you wish, the freedom to educate your children—boys and girls, and freedom from the midnight knock of the secret police'' among others.

Then she delivered powerful messages to both Middle Eastern authoritarian rulers and their citizens. To the rulers, Rice warned that ''the fear of free choices can no longer justify the denial of liberty. It is time to abandon the excuses that are made to avoid the hard work of democracy.''

Mr. Speaker, to the citizens of the Middle East she offered hope: ''Millions of people are demanding freedom for themselves and democracy for their countries. To these courageous men and women, I say today: All free

nations will stand with you as you secure the blessings of your own liberty.''

The Secretary commended President Mubarak's reform of presidential elections in Egypt, but she made clear that Egypt's implementation of the reform will be watched closely. And she defined exactly what fair implementation means: ''Opposition groups must be free to assemble, and to participate, and to speak to the media. Voting should occur without violence or intimidation. And international election monitors and observers must have unrestricted access to do their jobs.''

Moreover, she made clear that, even in the best circumstances, Egypt has a long way to go: ''The day must come when the rule of law replaces emergency decrees—and when the independent judiciary replaces arbitrary justice.''

Our Secretary of State has returned from the Middle East having re-affirmed American values and having made clear that our commitment to freedom in the Middle East is unflinching. And she communicated her message with a generosity of spirit and an understanding of the difficulties of democracy-building—as when she acknowledged America's painful history of slavery and discrimination—that made clear to her audience that the U.S. will be an empathetic partner along the path to freedom.

Mr. Speaker, I ask that Secretary Rice's address be placed in the RECORD, and I urge my colleagues to read and give attention to her thoughtful remarks.

ADDRESS OF SECRETARY OF STATE CONDOLEEZZA RICE AT THE AMERICAN UNIVERSITY IN CAIRO

Thank you very much, Dr. Hala Mustafa, for that really kind and warm introduction and your inspiring thoughts about democracy here in the region. I am honored to be here in the great and ancient city of Cairo.

The United States values our strategic relationship and our strengthening economic ties with Egypt. And American presidents since Ronald Reagan have benefited from the wisdom and the counsel of President Mubarak, with whom I had the pleasure of meeting earlier today.

The people of America and Egypt have always desired to visit one another and to learn from one another. And the highest ideals of our partnership are embodied right here, in the American University of Cairo. This great center of learning has endured and thrived—from the days when our friendship was somewhat rocky, to today, when the relationship is strong. And I am very grateful and honored to address you in the halls of this great center of learning.

Throughout its history, Egypt has always led this region through its moments of greatest decision. In the early 19th century, it was the reform-minded dynasty of Muhammad Ali that distinguished Egypt from the Ottoman Empire and began to transform it into the region's first modern nation.

In the early 20th century, it was the forward-looking Wafd Party that rose in the aftermath of the First World War and established Cairo as the liberal heart of the ''Arab Awakening.'' And just three decades ago, it was Anwar Sadat who showed the way forward for the entire Middle East—beginning difficult economic reforms and making peace with Israel. In these periods of historic decision, Egypt's leadership was as visionary as it was essential for progress. And now in our own time, we are faced with equally momentous choices—choices that will echo for generations to come.

In this time of great decision, I have come to Cairo not to talk about the past, but to look to the future—to a future that Egyptians can lead and can define. Ladies and Gentlemen: In our world today, a growing number of men and women are securing their liberty. And as these people gain the power to choose, they are creating democratic governments in order to protect their natural rights.

We should all look to a future when every government respects the will of its citizens—because the ideal of democracy is universal. For 60 years, my country, the United States, pursued stability at the expense of democracy in this region here in the Middle East—and we achieved neither. Now, we are taking a different course. We are supporting the democratic aspirations of all people.

As President Bush said in his Second Inaugural Address: ''America will not impose our style of government on the unwilling. Our goal instead is to help others find their own voice, to attain their own freedom, and to make their own way.''

We know these advances will not come easily, or all at once. We know that different societies will find forms of democracy that work for them. When we talk about democracy, though, we are referring to governments that protect certain basic rights for all their citizens—among these, the right to speak freely. The right to associate. The right to worship as you wish. The freedom to educate your children—boys and girls. And freedom from the midnight knock of the secret police.

Securing these rights is the hope of every citizen, and the duty of every government. In my own country, the progress of democracy has been long and difficult. And given our history, the United States has no cause for false pride and we have every reason for humility.

After all, America was founded by individuals who knew that all human beings—and the governments they create—are inherently imperfect. And the United States was born half free and half slave. And it was only in my lifetime that my government guaranteed the right to vote for all of its people.

Nevertheless, the principles enshrined in our Constitution enable citizens of conviction to move America closer every day to the ideal of democracy. Here in the Middle East, that same long hopeful process of democratic change is now beginning to unfold. Millions of people are demanding freedom for themselves and democracy for their countries.

To these courageous men and women, I say today: All free nations will stand with you as you secure the blessings of your own liberty. I have just come from Jordan, where I met with the King and Queen—two leaders who have embraced reform for many years. And Jordan's education reforms are an example for the entire region. That government is moving toward political reforms that will decentralize power and give Jordanians a greater stake in their future.

In Iraq, millions of citizens are refusing to surrender to terror the dream of freedom and democracy. When Baghdad was first designed, over twelve-hundred years ago, it was conceived as the ''Round City''—a city in which no citizen would be closer to the center of justice than any other. Today—after decades of murder, and tyranny, and injustice—the citizens of Iraq are again reaching for the ideals of the Round City.

Despite the attacks of violent and evil men, ordinary Iraqis are displaying great personal courage and remarkable resolve. And every step of the way—from regaining their sovereignty, to holding elections, to now writing a constitution—the people of Iraq are exceeding all expectations.

The Palestinian people have also spoken. And their freely-elected government is working to seize the best opportunity in years to fulfill their historic dream of statehood. Courageous leaders, both among the Palestinians and the Israelis, are dedicated to seeking that peace. And they are working to build a shared trust.

The Palestinian Authority will soon take control of the Gaza—a first step toward realizing the vision of two democratic states living side by side in peace and security. As Palestinians fight terror, and as the Israelis fulfill their obligations and responsibilities to help create a viable Palestinian state, the entire world—especially Egypt and the United States—will offer full support.

In Lebanon, supporters of democracy are demanding independence from foreign masters. After the assassination of Rafiq Hariri, thousands of Lebanese citizens called for change. And when the murder of journalist Samir Qaseer reminded everyone of the reach and brutality of terror, the Lebanese people were still unafraid.

They mourned their fellow patriot, but they united publicly with pens and pencils held aloft. It is not only the Lebanese people who desire freedom from Syria's police state. The Syrian people themselves share that aspiration.

One hundred and seventy-nine Syrian academics and human rights activists are calling upon their government to ''let the Damascus spring flower, and let its flowers bloom.'' Syria's leaders should embrace this call—and learn to trust their people. The case of Syria is especially serious, because as its neighbors embrace democracy and political reform, Syria continues to harbor or directly support groups committed to violence—in Lebanon, and in Israel, and Iraq, and in the Palestinian territories. It is time for Syria to make a strategic choice to join the progress that is going on all around it.

In Iran, people are losing patience with an oppressive regime that denies them their liberty and their rights. The appearance of elections does not mask the organized cruelty of Iran's theocratic state. The Iranian people, ladies and gentlemen, are capable of liberty. They desire liberty. And they deserve liberty. The time has come for the unelected few to release their grip on the aspirations of the proud people of Iran.

In Saudi Arabia, brave citizens are demanding accountable government. And some good first steps toward openness have been taken with recent municipal elections. Yet many people pay an unfair price for exercising their basic rights. Three individuals in particular are currently imprisoned for peacefully petitioning their government. That should not be a crime in any country.

Now, here in Cairo, President Mubarak's decision to amend the country's constitution and hold multiparty elections is encouraging. President Mubarak has unlocked the door for change. Now, the Egyptian Government must put its faith in its own people. We are all concerned for the future of Egypt's reforms when peaceful supporters of democracy—men and women—are not free from violence. The day must come when the rule of law replaces emergency decrees—and when the independent judiciary replaces arbitrary justice.

The Egyptian Government must fulfill the promise it has made to its people—and to the entire world—by giving its citizens the freedom to choose. Egypt's elections, including the Parliamentary elections, must meet objective standards that define every free election.

Opposition groups must be free to assemble, and to participate, and to speak to the media. Voting should occur without violence or intimidation. And international election monitors and observers must have unrestricted access to do their jobs.

Those who would participate in elections, both supporters and opponents of the government, also have responsibilities. They must

accept the rule of law, they must reject violence, they must respect the standards of free elections, and they must peacefully accept the results.

Throughout the Middle East, the fear of free choices can no longer justify the denial of liberty. It is time to abandon the excuses that are made to avoid the hard work of democracy. There are those who say that democracy is being imposed. In fact, the opposite is true: Democracy is never imposed. It is tyranny that must be imposed.

People choose democracy freely. And successful reform is always homegrown. Just look around the world today. For the first time in history, more people are citizens of democracies than of any other form of government. This is the result of choice, not of coercion.

There are those who say that democracy leads to chaos, or conflict, or terror. In fact, the opposite is true: Freedom and democracy are the only ideas powerful enough to overcome hatred, and division, and violence. For people of diverse races and religions, the inclusive nature of democracy can lift the fear of difference that some believe is a license to kill. But people of goodwill must choose to embrace the challenge of listening, and debating, and cooperating with one another.

For neighboring countries with turbulent histories, democracy can help to build trust and settle old disputes with dignity. But leaders of vision and character must commit themselves to the difficult work that nurtures the hope of peace. And for all citizens with grievances, democracy can be a path to lasting justice. But the democratic system cannot function if certain groups have one foot in the realm of politics and one foot in the camp of terror.

There are those who say that democracy destroys social institution and erodes moral standards. In fact, the opposite is true: The success of democracy depends on public character and private virtue. For democracy to thrive, free citizens must work every day to strengthen their families, to care for their neighbors, and to support their communities.

There are those who say that long-term economic and social progress can be achieved without free minds and free markets. In fact, human potential and creativity are only fully released when governments trust their people's decisions and invest in their people's future. And the key investment is in those people's education. Because education—for men and for women—transforms their dreams into reality and enables them to overcome poverty.

There are those who say that democracy is for men alone. In fact, the opposite is true: Half a democracy is not a democracy. As one Muslim woman leader has said, ''Society is like a bird. It has two wings. And a bird cannot fly if one wing is broken.'' Across the Middle East, women are inspiring us all.

In Kuwait, women protested to win their right to vote, carrying signs that declared: ''Women are Kuwaitis, too.'' Last month, Kuwait's legislature voiced its agreement. In Saudi Arabia, the promise of dignity is awakening in some young women. During the recent municipal elections, I saw the image of a father who went to vote with his daughter.

Rather than cast his vote himself, he gave the ballot to his daughter, and she placed it in the ballot box. This small act of hope reveals one man's dream for his daughter. And he is not alone.

Ladies and Gentlemen: Across the Middle East today, millions of citizens are voicing their aspirations for liberty and for democracy. These men and women are expanding boundaries in ways many thought impossible just one year ago.

They are demonstrating that all great moral achievements begin with individuals who do not accept that the reality of today must also be the reality of tomorrow.

There was a time, not long ago, after all, when liberty was threatened by slavery.

The moral worth of my ancestors, it was thought, should be valued by the demand of the market, not by the dignity of their souls. This practice was sustained through violence. But the crime of human slavery could not withstand the power of human liberty. What seemed impossible in one century became inevitable in the next.

There was a time, even more recently, when liberty was threatened by colonialism. It was believed that certain peoples required foreign masters to rule their lands and run their lives. Like slavery, this ideology of injustice was enforced through oppression.

But when brave people demanded their rights, the truth that freedom is the destiny of every nation rang true throughout the world. What seemed impossible in one decade became inevitable in the next.

Today, liberty is threatened by undemocratic governments. Some believe this is a permanent fact of history. But there are others who know better. These impatient patriots can be found in Baghdad and Beirut, in Riyadh and in Ramallah, in Amman and in Tehran and right here in Cairo.

Together, they are defining a new standard of justice for our time—a standard that is clear, and powerful, and inspiring: Liberty is the universal longing of every soul, and democracy is the ideal path for every nation.

The day is coming when the promise of a fully free and democratic world, once thought impossible, will also seem inevitable. The people of Egypt should be at the forefront of this great journey, just as you have led this region through the great journeys of the past.

A hopeful future is within the reach of every Egyptian citizen—and every man and woman in the Middle East. The choice is yours to make. But you are not alone. All free nations are your allies. So together, let us choose liberty and democracy—for our nations, for our children, and for our shared future. Thank you.

INTRODUCING THE COMPREHENSIVE HEALTH CARE ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. PAUL. Mr. Speaker, America faces a crisis in health care. Health care costs continue to rise, leaving many Americans unable to afford health insurance, while those with health care coverage, and their physicians, struggle under the control of managed-care ''gatekeepers.'' Obviously, fundamental health care reform should be one of Congress' top priorities.

Unfortunately, most health care ''reform'' proposals either make marginal changes or exacerbate the problem. This is because they fail to address the root of the problem with health care, which is that government policies encourage excessive reliance on third-party payers. The excessive reliance on third-party payers removes all incentive from individual patients to concern themselves with health care costs. Laws and policies promoting Health Maintenance Organizations (HMOs) resulted from a desperate attempt to control spiraling costs. However, instead of promoting an efficient health care system, HMOs further took control over health care away from the individual patient and physician.

Furthermore, the predominance of third-party payers means there is effectively no market for individual health insurance policies, thus those whose employers cannot offer them health benefits must either pay exorbitant fees for health insurance or do without health insurance. Since most health care providers cater to those with health insurance, it is very difficult for the uninsured to find health care that meets their needs at an affordable price. The result is many of the uninsured turn to government-funded health care systems, or use their local emergency room as their primary care physician. The result of this is declining health for the uninsured and increased burden on taxpayer-financed health care system.

Returning control over health care to the individual is the key to true health care reform. The Comprehensive Health Care Reform Act puts control of health care back into the hands of the individual through tax credits, tax deductions, Health Care Savings Accounts (HSA), and Flexible Savings Accounts. By giving individuals tax incentives to purchase their own health care, the Comprehensive Health Care Act will help more Americans obtain quality health insurance and health care. Specifically, the Comprehensive Health Care Act:

A. Provides all Americans with a tax credit for 100% of health care expenses. The tax credit is fully refundable against both income and payroll taxes.

B. Allows individuals to roll over unused amounts in cafeteria plans and Flexible Savings Accounts (FSA).

C. Makes every American eligible for an Health Savings Account (HSA), removes the requirement that individuals must obtain a high-deductible insurance policy to open an HSA; allows individuals to use their HSA to make premium payments for high-deductible policy; and allows senior citizens to use their HSA to purchase Medigap policies.

D. Repeals the 7.5 percent threshold for the deduction of medical expenses, thus making all medical expenses tax deductible.

By providing a wide range of options, this bill allows individual Americans to choose the method of financing health care that best suits their individual needs. Increasing frustration with the current health care system is leading more and more Americans to embrace this approach to health care reform. For example, a poll by the respected Zogby firm showed that over 80 percent of Americans support providing all Americans with access to a Health Savings Account. I hope all my colleagues will join this effort to put individuals back in control of health care by cosponsoring the Comprehensive Health Care Reform Act.

HONORING THE WOMEN VETERANS OF THE 10TH CONGRESSIONAL DISTRICT AND THE ANNUAL WOMEN VETERANS BANQUET

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the women veterans of the 10th Congressional District of Ohio—for their service, bravery, and dedication on behalf of our country. Most significantly, we

stand in tribute and remembrance of those veterans, women and men, who have made the ultimate sacrifice when they answered the call to duty.

For the past three years, the service, sacrifice and courage of women veterans of the United States Armed Forces have been honored and celebrated in Cleveland at the "Women Veterans Banquet." The idea was brought to life by U.S. Marine Corps Sergeant Cindy Campbell, Desert Storm Veteran, and her husband, John Campbell.

The organizers of the Women Veterans Banquet provide a significant opportunity for the Cleveland community to honor and recognize the unwavering dedication and bravery exhibited by women who have been on the front lines of combat throughout America's history—from women soldiers on the battleground, to women piloting F–14's, to women doctors and nurses working in makeshift medical units administering to the wounded. Beyond recognizing the immense contribution and sacrifice of women soldiers and veterans, the members of the Women Veterans Banquet have also work to raise funds for the upkeep and maintenance of the Women in Military Service Memorial in Washington, DC.

Mr. Speaker and Colleagues, please join me in honor of the women of our United States Armed Forces. Let us forever remember their service, courage and steadfast commitment, and keep especially close in our hearts those soldiers, women and men, who have made the ultimate sacrifice on behalf of our country, when they heeded the call to serve.

HONORING MATTHEW MAZGAJ FOR HIS ALL AROUND EXCELLENCE IN ACADEMICS AND ATHLETICS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to commend the exemplary academic and athletic achievements Matthew Mazgaj.

Matthew is one of those students who does not go unnoticed. This article as published in the Jamestown Post Journal pays tribute to an outstanding young man.

AREA WRESTLER A STANDOUT IN AND OUT OF CLASSROOM

(By Scott Kindberg)

Richard Rybicki saw something special in Matt Mazgaj almost from the moment he met him on the first day of school in 1998.

As his homeroom teacher at Southwestern Middle School, Rybicki was struck by Mazgaj's leadership skills, even as an 11-year-old sixth-grader.

''He was a standout in and out of the classroom as an elementary student and athlete,'' Rybicki said.

Fast forward more than 6 years and nothing's changed.

Mazgaj's work ethic and drive to excel, first seen by Rybicki in the late 1990s, continued throughout his tenure at Southwestern Central School. From the classroom to the football field and from his church to the wrestling mat, the Trojans senior has laid a blueprint for other students to follow.

And somewhere Frank Hyde is smiling.

Hyde, who was The Post-Journal sports editor for 34 years, valued the all-around excellence of young people.

''Matt exemplifies the type of student athlete-scholar Frank Hyde admired most—those for whom participation in sports is an important part of the educational experience, but just a part,'' Post-Journal Editor Cristie Herbst said.

''He valued those students who also learned through participation in sports the lessons of good sportsmanship, fair play and determination to strive toward a goal. And as just as Matt has done, Frank believed that students should apply those values in all of their activities, in and out of school,'' Ms. Herbst said.

Hyde, no doubt, would also be happy to know that Mazgaj is this year's recipient of the 21st annual Hyde Memorial Scholarship.

The $1,000 scholarship, given by The Post-Journal, is awarded to the outstanding college-bound athlete from the newspaper's circulation area, which covers Chautauqua, Cattaraugus and Warren counties.

The scholarship was presented during an awards assembly at Southwestern Central School on Wednesday morning.

Mazgaj has been accepted at Washington and Jefferson College, where he plans to major in biology and physics, and play football.

''I believe this type of an extensive education past high school is vital for an individual to succeed in our ever-advancing America today,'' Mazgaj wrote in an essay accompanying his scholarship application.

Judging from his academic performance and extracurricular activities, Mazgaj is on his way to a successful college experience.

Ranked 11th in his class with a 96 average, Mazgaj is a member of the National Honor Society, the Ophelia mentoring program and the math club; is an usher at Sacred Heart Church; and is a volunteer coach with the Southwestern Spartans midget football league team.

Athletically, he turned in one of the finest careers in school history.

In wrestling, he captured consecutive New York State Public High School Athletic Association small school championships in 2004 and 2005 at 215 pounds and shared the Ilio DiPaolo Scholarship this year.

Along the way, Mazgaj, a two-year captain, posted a 130–28 career record, was the Division 1 wrestler of the year, and twice the 215–pound division and Section 6 champion. The Trojans were also successful as a team during Mazgaj's era, claiming a small-school state championship once, Section 6 championship twice and league championship three times.

''When I first met Matt I noticed that he had an incredible work ethic that far surpassed his peers,'' Southwestern coach Mark Hetrick said in his letter of recommendation. ''Matt was undefeated throughout middle school wrestling, but the thing that impressed me the most about this kid was his drive and motivation to get better. His hard work paid off.''

Former Southwestern wrestling coach Walt Thurnau is equally complimentary.

''He has always displayed the characteristics of a true gentleman,'' Thurnau said in his letter of recommendation. ''It doesn't matter if it's practice or competition, Matt is always respectful of his opponent or practice partner. He always treats everyone with respect and courtesy.

''Matt is very humble and would never brag about his accomplishments. If you didn't know that he was a two-time state champ, you would never learn it by listening to Matt. He still helps clean the mats and is always one of the last to leave the practice room.''

Mazgaj's devotion to wrestling is immense, but his first love is on the gridiron. A firstteam all-state linebacker, The Post-Journal co-Player of the Year and first-team all-Western New York selection last fall, Mazgaj led the Trojans to a 9–2 record and a Section 6 championship, the first sectional football title in school history. His impact, both on the field and in the classroom, was recognized when he was selected the Section 6 Scholar-Athlete of the Year.

Statistically, Mazgaj, a two-year captain, holds team records for career tackles (357) and single-season tackles for a loss (22), and is tied for first in tackles in a season (133).

''I think the most important characteristic that Matt possesses is his character,'' Southwestern head football coach and government/economics teacher Jay Sirianni wrote in his letter of recommendation. ''Matt displays the attributes of a natural leader. He has integrity, loyalty, a strong work ethic, and he leads by example. In an era with few positive role models, Matt has been a positive role model to his classmates and younger students.''

Because of his considerable wrestling talents, Mazgaj could have continued his career at the Division I or Division II level. Instead, he chose to follow his heart and his true love—football.

''With making the decision to play football in college, I gave up substantial athletic scholarship financial aid,'' Mazgaj wrote. ''Washington and Jefferson is a Division III school, and because of this they cannot give athletic scholarships. This is why I am writing to you, to try and convince you to help me continue my athletic career in a sport that I have (proven myself) on the fields at Southwestern.

''The financial assistance will help to alleviate some of the stress developed from paying for college, then graduate, and maybe medical school.''

Then Mazgaj added one final sentence.

''Regardless of the monetary assistance, this award would, first and foremost, be an honor to receive.''

''Matt Mazgaj is that exceptional student-athlete who comes around few times, if any, in a teacher's career,'' wrote Rybicki, who is also Southwestern's athletic director. ''Matt will definitely leave behind a legacy which has been forged by hard work, discipline and desire.''

I am honored, Mr. Speaker, to have an opportunity to honor this amazing young man.

HONORING THE 50TH ANNIVERSARY OF THE TOWN OF HYPOLUXO

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. SHAW. Mr. Speaker, the Town of Hypoluxo, a gem in the strand of our jeweled communities of Palm Beach County, is celebrating its 50th anniversary on July 3, 2005. I have proudly represented Hypoluxo for 13 years in the United States Congress, and have come to know its residents and town leadership very well.

It is interesting to note that Hypoluxo got its name not from a Greek root, but from the Seminole name for Lake Worth which roughly translates to "water all around—no get out." Today a great number of people want to move into the friendly confines of Hypoluxo, but because no one wants to "get out", home sites are difficult to find. No doubt, because of the wonderful people and the coastal breezes.

Hypoluxo is one of the smallest communities in my District with its nearly 2,500 people, but it has in its rich heritage played a very

important role in the history and growth of Palm Beach County. It was the center of the story of the legendary Barefoot Mailman, who connected Jupiter with Lemon City (now the Miami area) in the 19th Century, long before any type of road existed.

At one time, the mail to Miami had to be shipped to Jacksonville, then by rail to Cedar Key, steam shipped to Key West and lastly by schooner to Miami. The big advancement took place in 1885, with a railroad line south to West Palm Beach. The mail then traveled by row boat to Hypoluxo. At Hypoluxo, the Barefoot Mailman took over and walked six days along the hard sand next to the ocean for over 60 miles (and occasionally crossing inlets by swimming or by canoe) to Miami—and back. All for $175 every three months.

The Postal Creed says that "neither snow, nor rain, nor snow, nor heat, nor gloom of night will stay these couriers from the swift completion of their appointed rounds." To the Barefoot Mailman you can add on gators, sharks, snakes, hurricanes, and swift currents. In fact, it is legend that alligators or sharks caused the demise of a Barefoot Mailman on one of his appointed rounds.

Mr. Speaker, Hypoluxo has created in its natural scrub park, a statue monument to the Barefoot Mailman, to recognize the heroic traditions of each person who served the coastal residents and brought the news, commercial transactions, and many smiles to them during their years of service.

To the citizens of Hypoluxo gathered to celebrate its 50 years in the shadow of its beautiful Key West Town Hall, its natural Florida hammock, and under the watchful eye of the Barefoot Mailman, I congratulate you and wish you the best in the next 50 years. I am sure that by that time the mail will arrive a little faster—but not with the colorful traditions of the Barefoot Mailman. Congratulations on 50 years, and on behalf of Florida's 22nd Congressional District, I wish you many, many more.

MGM V. GROKSTER DECISION

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. WEXLER. Mr. Speaker, I rise today in strong support of today's 9–0 Supreme Court decision in the MGM v. Grokster case. By ruling that providing the software makes a file-sharing service liable for facilitating this online theft and for encouraging illegal downloads, the Court preserved this country's 200 year history of inspiring American creativity by protecting the rights of those who create it.

Traffic in copyrighted material has already cost American industry hundreds of millions of dollars. One-half of all teenagers have downloaded music for free, with two-thirds of them saying they buy less music now that they can steal it over the Internet so easily. Given the severity and magnitude of the problem, I sincerely hope that today's ruling will force these services to either clean up their acts or discontinue entirely.

The Court unanimously found what so many of us already knew: peer-to-peer networks are merely the latest technology used to steal from copyright owners. Online file-sharing services, like Grokster and KaZaa, may not distribute copyrighted materials off of their own servers, but they certainly encourage that theft and profit from it. Just as in the physical world, promoting criminal activity is itself a crime. I am pleased peer-to-peer networks that actively encourage piracy will now be held responsible for their actions.

THE VOLUNTEER FIGHTERS OF VERMONT

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. SANDERS. Mr. Speaker, there are over 800,000 volunteer firefighters in the United States. Of the 30,000 fire departments in the United States, two thirds are entirely made up of volunteers—21,761 companies. Another 5,271 companies are mostly made up of volunteers.

In my own state of Vermont there are 246 small towns—and 244 fire departments. Five of them are in large cities, where there first responders are full time, paid firefighters. Vermont has 265 paid firefighters—all brave and dedicated men and women.

But in rural Vermont, dotted with small cities and smaller towns, there is often neither the population base nor the budget to support full-time firefighters. But thousands of remarkable men and women step into the breech, giving generously of their time and energy and commitment to make sure our residences, our businesses, our farms, our towns, are safe. Vermont, with a population of about 620,000, has an astonishing 6,235 volunteer firefighters. Just over one person in every hundred who lives in our largely rural state has devoted himself or herself to protecting the community in which they live.

These first responders are models for people across our entire nation of what commitment to one's neighbor looks like. Every day they demonstrate, in good weather and bad, in sweltering summer heat when their boots and coats are like ovens, and in the depths of winter when the temperature goes to 25 below and frostbite threatens, that they are willing to put their lives on the line to protect the lives of others.

Our nation was built by people who were as concerned about their neighbors as they were about their own interests. It has been sustained by brave men and women who love their country, their community, their neighbors and family, as much as they love life itself. And that tradition of service and bravery continues in Vermont. I proudly celebrate, today, the remarkable volunteer firefighters of Vermont. We all owe them a debt of gratitude: They are among the great unsung heroes of our times.

HONORING LUCILLE SALTER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. PORTER. Mr. Speaker, I rise today to honor Mrs. Lucille Salter, as she celebrates her 100th birthday. It is my great pleasure to commemorate this milestone for a woman who is a pillar in her community of Boulder City, Nevada.

Mrs. Salter arrived in Boulder City in l931 at the height of the Great Depression. She spent time working for the telephone company, the Federal Government, and the City of Henderson.

Today, Mrs. Salter lives with her husband, Ross Salter, in Henderson, Nevada and enjoys visits from her grandchildren and playing bridge. She leads a full life and is admired by her many friends for her willingness to help in any way she can.

Mr. Speaker, it is my great privilege to honor Lucille Salter and give her my deepest thanks for her contributions to the Southern Nevada community. It is my hope that those that have been touched by her giving spirit will remember her example and use it in their own lives.

INTRODUCING THE AGRICULTURE EDUCATION FREEDOM ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. PAUL. Mr. Speaker, I rise to introduce the Agriculture Education Freedom Act. This bill addresses a great injustice being perpetrated by the Federal Government on those youngsters who participate in programs such as 4–H or the Future Farmers of America. Under current tax law, children are forced to pay Federal income tax when they sell livestock they have raised as part of an agricultural education program.

Think about this for a moment. These kids are trying to better themselves, earn some money, save some money and what does Congress do? We pick on these kids by taxing them. It is truly amazing that with all the hand-wringing in Congress over the alleged need to further restrict liberty and grow the size of government "for the children" we would continue to tax young people who are trying to lead responsible lives and prepare for the future. Even if the serious social problems today's youth face could be solved by new Federal bureaucracies and programs, it is still unfair to pick on those kids who are trying to do the right thing.

These children are not even old enough to vote, yet we are forcing them to pay taxes! What ever happened to no taxation without representation? No wonder young people are so cynical about government!

It is time we stopped taxing youngsters who are trying to earn money to go to college by selling livestock they have raised through their participation in programs such as 4–H or Future Farmers of America. Therefore, I call on my colleagues to join me in supporting the Agriculture Education Freedom Act.

IN HONOR AND REMEMBRANCE OF U.S. MARINE LANCE CORPORAL THOMAS OLIVER KEELING

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of United States Marine Lance Corporal Thomas Oliver Keeling, who courageously and selflessly heeded the call to duty and made the ultimate sacrifice on behalf of our country.

Corporal Keeling's life was defined by his family, friends, love for his country and an unbridled energy and joy that he freely extended to others. He received inner strength and faith from those who knew him best and loved him most, especially his parents, Sherry Berry and Thomas Keeling, step-parents, Robert Berry and Diane Palos, and siblings, Erin, Kristen and Rebecca.

Corporal Keeling was a dedicated family member, student and Marine. After graduating from Strongsville High School in 2000, he enrolled at Kent State University, where he graduated with a Bachelor's degree in 2004. He was always willing to go the extra mile for his family, friends, and for those with whom he served beside, with the highest level of honor and integrity, the men and women of Weapons Company—3rd Battalion, 25th U.S. Marine Regiment in Iraq.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Lance Corporal Thomas Oliver Keeling. I extend my deepest condolences to his entire family, extended family, and to his many friends. The immeasurable sacrifice, significant service, and unwavering bravery that framed his young life will be forever held within the hearts of all who knew and loved him well. Corporal Keeling's life is testament to all that is good in humanity, and his legacy will be honored and remembered by the people of Strongsville, the Cleveland community, and the entire Nation, for all time.

HONORING CODY-ANNE WEISE AND AMY TRAVIS AS RECIPIENTS OF THE WELCH'S SCHOLARSHIP

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to commend the exemplary academic achievements of Cody-Anne Weise and Amy Travis as recipients of the Welch's scholarship.

Children and grandchildren of Welch's and the National Grape Cooperative employees are eligible for the $1,500 scholarship.

Ms. Weise is the daughter of James and Cynthia Weise of Sherman. Mrs. Weise is employed by Welch's as harvest, fruit receiving supervisor at the North East, Pennsylvania plant. Cody-Anne is a 2003 graduate of Sherman Central School and a graduate of Jamestown Community College with an associate's degree in individual studies. In August, Ms. Weise will enter SUNY Fredonia as a junior with plans to study secondary English education.

Ms. Travis is the daughter of David and Marcia Travis of Brocton, NY and the granddaughter of Edward Sunday. Mr. Sunday is a member of the National Grape Cooperative and a retired 30-year employee of Welch's. Amy participates in the 3–1–3 program at SUNY Fredonia making this the third time she has been awarded with the scholarship. This fall Amy plans to return to Fredonia State to major in music education.

I am honored Mr. Speaker, to have an opportunity to honor these accomplished and bright women.

CONGRATULATING THE GRANT FAMILY ON THE BIRTH OF THEIR CHILD, ALLISON MARIE

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to offer my congratulations to Bill and Claudia Grant on the birth of their child. Allison Marie Grant was welcomed into this world at 7:04 am on June 17th, 2005, weighing 6 pounds 12½ ounces. Both the mother and father's families were present to celebrate the joyful birth. The entire Citrus County Community welcomes their newest citizen. I congratulate Bill and Claudia on the new addition to their family and wish them years of continued health and happiness.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 24, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes:

Mr. DENT. Mr. Chairman, I would like to express my support for the Community Services Block Grants, and take a moment to highlight the effect these grants have on my District. CSBG funds are used to support the Community Action Committee of the Lehigh Valley (CACLV). I have a long history of working with the CACLV on a wide range of antipoverty initiatives which include housing, hunger, and community development, and I have seen the positive contributions that CACLV has made as a result of CSBG funding.

CSBG grants are uniquely effective because they are locally-controlled and respond to the particular need of each individual community. The grants produce a return on investments and have a sophisticated outcome-based accountability system. In my district, the CACLV generates over $8 for each CSBG dollar; half of that leveraged money comes from private sources which include utilities, banks, churches, foundations, and individuals.

CACLV runs two homeless shelters in my district—Safe Harbor in Easton and the 6th Street Shelter in Allentown. These shelters serve individuals and families with issues ranging from drug and alcohol dependence to mental health. The CACLV also operates Second Harvest Food Bank, distributing about 5 million pounds of donated and government food to over 170 agencies each year.

CACLV operates three community development subsidiaries that are conducting entrepreneurial training and offer micro loans to help create dozens of micro enterprises each year. These CDC's operate two inner-city farmers' markets, offer cash assistance to struggling neighborhood-based businesses, provide residential and commercial facade improvement grants, and youth recreation programs.

Finally, CACLV operates a comprehensive financial services program that teaches dozens of low income families to save money and buy homes. Additionally, the CACLV offers free tax preparation services to over 600 taxpaying households.

Beyond these impressive efforts, the CACLV has a record of building partnerships. It conceived and led a campaign that resulted in two open space referenda. This project is set to generate $70 million to create and enhance parks, protect natural areas and preserve farms. The CACLV's housing initiatives have led campaigns to create housing trust funds in two counties in my district, and funded programs that have dramatically expanded homeowners hip throughout the Lehigh Valley.

The funding reductions included in this bill will greatly impact CACLV and Community Action Agencies across the country. The Executive Director of CACLV expects that a cut in excess of 50 percent will result in the closing of one of its homeless shelters and all of its small business development work and perhaps even more.

Mr. Speaker, it is clear that my district and the nation need the services that Community Action agencies provide. Although I understand the tight budget constraints we face, these programs will stimulate the economy and improve the quality of life for the residents of my district. As the appropriations process advances, I would like to express my support for funding levels equal to the final FY 2005 appropriations for CSBG.

REGARDING MEETING WITH GENERAL LLOYD W. NEWTON

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. MICHAUD. Mr. Speaker, on June 27th and 28th, I have requested an official leave of absence to attend to issues that are of vital importance to the people of Maine. I will be meeting with Base Realignment and Closure (BRAC) representative General Lloyd W. Newton at the Defense Finance and Accounting Service in Limestone, Maine. This facility is currently slated to close as part of the BRAC process. I will be leading General Lloyd W. Newton on a tour of the base to present the case that the facility must not be closed.

Currently, 362 hardworking Mainers are employed in the Limestone facility. Aroostook County and Northern Maine have already been devastated by the closure of the Loring Air Force Base. Additional job loss, along with the losses due to the proposed realignment at Brunswick Naval Air Station and Portsmouth Naval Shipyard, would have a serious impact in Maine. It is important for me to meet personally with General Newton, along with Governor Baldacci, so that we can stress the critical service that this facility provides for the military and its vital importance to the Maine economy.

INTRODUCING THE FREEDOM FROM UNNECESSARY LITIGATION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. PAUL. Mr. Speaker, I am pleased to introduce the Freedom from Unnecessary Litigation Act. As its title suggests, this bill provides an effective means of ensuring that those harmed during medical treatment receive fair compensation while reducing the burden of costly malpractice litigation on the health care system. This bill achieves its goal by providing a tax credit for negative outcomes insurance purchased before medical treatment. The insurance will provide compensation for any negative outcomes of the medical treatment. Patients can receive this insurance without having to go through lengthy litigation and without having to give away a large portion of their award to a trial lawyer.

Relying on negative outcomes insurance instead of litigation will also reduce the costs imposed on physicians, other health care providers, and hospitals by malpractice litigation. The Freedom from Unnecessary Litigation Act also promotes effective solutions to the malpractice crisis by making malpractice awards obtained through binding, voluntary arbitration tax-free.

The malpractice crisis has contributed to the closing of a maternity ward in Philadelphia and a trauma center in Nevada. Meanwhile, earlier this year, surgeons in West Virginia walked off the job to protest increasing liability rates. These are a few of the examples of how access to quality health care is jeopardized by the epidemic of large (and medically questionable) malpractice awards, and the resulting increase in insurance rates.

As is typical of Washington, most of the proposed solutions to the malpractice problem involve unconstitutional usurpations of areas best left to the states. These solutions also ignore the root cause of the litigation crisis: the shift away from treating the doctor-patient relationship as a contractual one to viewing it as one governed by regulations imposed by insurance company functionaries, politicians, government bureaucrats, and trial lawyers. There is no reason why questions of the assessment of liability and compensation cannot be determined by a private contractual agreement between physicians and patients. The Freedom from Unnecessary Litigation Act is designed to take a step toward resolving these problems through private contracts.

Using insurance, private contracts, and binding arbitration to resolve medical disputes benefits patients, who receive full compensation in a timelier manner than under the current system. It also benefits physicians and hospitals, which are relieved of the costs associated with litigation. Since it will not cost as much to provide full compensation to an injured patient, these bills should result in a reduction of malpractice premiums. The Freedom from Unnecessary Litigation Act benefits everybody except those trial lawyers who profit from the current system. I hope all my colleagues will help end the malpractice crises while ensuring those harmed by medical injuries receive just compensation by cosponsoring my Freedom from Unnecessary Litigation Act.

HONORING THE 25TH ANNIVERSARY OF ST. MATTHIAS PARISH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the leaders and members of St. Matthias Parish, of Parma, Ohio, as they celebrate twenty-five years of faith, guidance and hope for parishioners, and for the greater good of the community.

Twenty-five years ago, St. Matthias was established by the late Bishop James A. Hickey. Bishop Hickey was later appointed to serve as Cardinal James A. Hickey. He announced that St. Matthias, a former mission parish, would now evolve into a full-fledged parish. Father Vincent Moraghan became the first Pastor of the church. On June 28, 1980, the first Mass was held at Green Valley School in Parma. The friendly and warm atmosphere of St. Matthias Parish has remained constant through the years. This spirit of cooperation and unity brought forth the planning and construction of a new church and rectory, completed by 1987. Following Pastor Moraghan's retirement, Father Raymond Sutter was appointed as Pastor, and continues his service to St. Matthias to this day.

The leadership and members of St. Matthias are a unified force of strength and assistance for many within the parish, and also for those in need, outside the parish. Volunteers continue to plan and implement programs such as the Volunteer Visitors Program, St. Vincent DePaul Society, Red Cross Drives, and the "Manna" Fundraiser, all of which serve to provide assistance and lift the spirit of individuals and families throughout our community.

Mr. Speaker and Colleagues, please join me in honor and recognition of every leader and member of St. Matthias Parish, as they celebrate twenty-five years of offering spiritual guidance for countless families and individuals. Since 1980, the parish has evolved in structure and location, yet it remains a steady beacon of light, faith and hope, that embraces the spiritual needs and everyday struggles of all parishioners.

HONORING ZACHARY AGETT UPON RECEIVING THE J.C. MATTESON MEMORIAL SCHOLARSHIP

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to commend Zachary Agett, a resident of Chautauqua County, City of Jamestown, upon the occasion of receiving the J.C. Matteson Memorial Scholarship.

Zachary was awarded the scholarship for his honorable character and athletic achievement. Both on and off the football field: Agett diplays dedication, selflessness, integrity and leadership, many of the same admirable attributes that J.C. Matteson demonstrated.

This scholarship fund was established by the Chautauqua Region Community Foundation in honor of J.C. Matteson who died a very honorable death in Iraq last October. J.C. Matteson was a student and football player at Southwestern High School.

His father, James, plans to head up the fund-raising efforts for the scholarship for years to come. James Matteson's goal is to raise $29,000 and award two $1,000 scholarships in the coming years.

In the fall Agett plans to attend Washington and Jefferson University, where he will play football and major in biology. It is a wonderful honor to share the characteristics possessed by a fallen hero.

Zachary Agett is an upstanding young man and I am proud, Mr. Speaker, to have an opportunity to honor him today.

TECHNOLOGY, TRADE AND CHINA

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Ms. ZOE LOFGREN of California. Mr. Speaker, Harris Miller, president of the Information Technology Association of America, recently wrote an opinion piece for the San Jose Mercury News. In this piece, Mr. Miller addresses some serious concerns about the Chinese government's trade policies and their efforts to control and limit information on the internet. Mr. Miller makes some excellent points and I encourage all of my colleagues to review his article.

[From the San Jose Mercury News, May 23, 2005]

IN WALLING OFF SOFTWARE MARKET, CHINA FORGETS TRADE GOES TWO WAYS

(By Harris N. Miller)

Chinese trade practices have long been the subject of complaint from U.S. manufacturers, particularly in the textile industry. American high-tech firms now see the storm clouds forming for their own business sectors. Two trends are particularly disturbing: China's leaders are quietly closing the doors to domestic market software competition while simultaneously attempting to expand government control over the Internet.

Despite U.S. protests, the Chinese government has published draft regulations that effectively would close China's government market to American and other foreign software companies. Software is likely to be the

first of many government markets to close to foreign competition.

When it comes to information technology, China is a waking giant. With a total information and communications technology marketplace of almost $100 billion, the Chinese appetite for computers, software and networks has more than doubled since 2000. All things being equal, China's high-tech growth is a good thing. With more than 1 billion people and a rapidly growing economy, China should be a tremendously positive trading partner, and the U.S. information technology industry has championed China's accession to the World Trade Organization.

But to be widely embraced, the door to global trade must swing both ways. Not even considering a piracy rate exceeding 90 percent, China is now considering taking the additional step of rolling back the access that foreign software companies currently enjoy in the Chinese government procurement market.

China is in the process of implementing a ''buy Chinese'' software procurement policy for government systems, which, if implemented restrictively, will dramatically inhibit foreign involvement in software sales to the Chinese government.

New draft procurement rules would require foreign software firms seeking Chinese government business to either perform 50 percent of the development work in China and assign copyright to a Chinese entity or make substantial R&D and capital investments in China. Even those foreign companies that might meet China's R&D, manufacturing or outsourcing requirements could not compete fairly for government contracts. Any Chinese government entity that wants to procure foreign software eligible for purchase on these grounds would have to apply and obtain a specific waiver.

Equally troubling, China is asserting a larger government role over the operations of the Internet itself

In a society like China's, one that represses dissent and rewards conformity, Internet access to news and information from countless points of view is nothing less than a threat. This is no doubt why Chinese officials have jailed dozens of citizens for ''subversive'' Internet-related activity, including issuing warnings about the spread of SARS or advocating greater democracy.

This also explains China's interest in blocking politically incorrect Web sites, collecting data on the Internet use and site visits of individuals, monitoring Internet service providers—even keeping tabs on Internet cafes.

Not exactly an advertisement for a government-run Internet. But at the Working Group on Internet Governance, a group affiliated with the United Nations, China said ''the basic principles of the Internet, namely, openness, fairness, and democracy and freedom'' are being diminished by the failure of governments to play a more prominent role in Internet governance.

Even though the Internet has flourished in a governance environment that brings together government, the private sector and civil society, China rejects this ''trilateralism'' because it denies ''the due responsibility and role of governments in Internet policy-making.''

China wants full access to the U.S. market while attempting to shut down the access that U.S. companies currently have to its market. At the same time, China's government-first stance on Internet governance threatens to throw sand in the gears of Internet proliferation (and the democratizing influence it represents). The U.S. information technology industry wants to continue to support China's role as a major trading partner. But that is possible only when free trade is truly free.

THE BRAVERY OF THE LITTLE ROCK NINE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. RANGEL. Mr. Speaker, I rise today to acknowledge the bravery and courage of the Little Rock Nine as we commemorate the 50th anniversary of the integration of Central High School in Little Rock, Arkansas. At the time, these nine young African-Americans took heroic and dynamic steps toward achieving an integrated educational experience that would enhance their opportunities for a quality education.

Fifty years ago, the idea that white and black students would sit in the same classroom, amongst other places, was unbearable to many. Individuals on both sides of the race line could not fathom the possibility of an integrated educational system. The racism and segregation that dominated the country at the time was also vile and vicious. Fear and intimidation had long been the mark of this country's racial past, evidenced by the lynchings that the Senate recently apologized for not taking action against. For those young men and women to take the brave steps toward equality by presenting themselves as instruments of change must have taken a lot out of them.

Their bravery and courage nonetheless were the steps that have led this country to greater tolerance and understanding. It took heroes, like the Little Rock Nine, to lay the path for the important advances of today. Imagine where this country would be if these individuals had failed to step forward, to demand a desk at an integrated school, and to walk into American history demanding the fulfillment of the American Constitution.

With machine guns at the ready, screaming mobs, and death threats hurdled at them, these nine young men and women bravely walked through the mob and into their classrooms. Their actions laid the foundations for a revolution in the American educational system. It called for an equalization of the way schools and communities would operate to ensure that all Americans received an equal opportunity to education and knowledge and that the doors of progress would no longer be closed to future generations of Americans, based on their race.

Today we have cause to applaud these valiant efforts. The Nation has moved significantly towards provided educational opportunities for all of our citizens and given them access to true opportunities of access and influence. There is still much to be done though. States still spend disproportionately more, per student, on white schools than black schools. The facilities of some minority schools lag way behind those of predominately-white schools. Whites often take advantage of private educational systems, draining the resources of public schools. The effect is a continued deficiency in the educational opportunities of our students.

Nonetheless, we have made considerable progress in our movement towards equality. That progress is largely thanks to individuals such as the Little Rock Nine. Without their bravery and courage in the 1950s, this country would still have much work to do in terms of equal opportunity.

I also want to thank my House colleagues for introducing and passing this resolution to recognize and honor those brave nine students. It is a sign that we have accomplished so much in this country.

VENICE, CALIFORNIA TURNS 100

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Ms. HARMAN. Mr. Speaker, there are few communities in the world that are instantly recognizable, that immediately conjure up an image, an identity, a lifestyle. Venice, California is one such place—a place that people dream about in the depths of winter; that promises eternal sunshine, warm beaches, buff and shapely lifeguards; and the soothing, ceaseless wash of the waves.

On July the 4th, as our Nation celebrates its 229th birthday, Venice, California celebrates its 100th. As a resident of Venice, I am proud to join my neighbors and local leaders in acknowledging this remarkable milestone.

Founded in 1905 by real estate entrepreneur Abbot Kinney, Venice was modeled after the canals and boardwalks of its namesake in Italy. Kinney's vision established Venice as an entertainment mecca, attracting visitors from around the world to its amusement park, boardwalk businesses, ocean swimming and street performances.

Since its inception, Venice has been a perennial attraction for artists and free spirits, beatnik writers, and innovative musicians—from Jack Kerouac to the Doors. Venice today remains a hub of artistic expression and cultural diversity with its graffiti art murals, sidewalk musicians, street basketball games, roller skate dancers, bodybuilding competitions, and lively restaurants, shops and cafes.

Venice is not only one of the nation's most unique artistic communities, it is booming with well-informed, politically engaged, civic-minded activists. A visit to the wonderful Farmer's Market on any weekend morning provides ample evidence of the community's wide and varying interests. In addition to a great cup of coffee, fresh baked goods and delicious local produce to feed the body, one can feed the mind at the many booths promoting diverse and important political, environmental and local causes.

The award-winning Venice Family Clinic is the largest free clinic in the country and provides inspiration to the community through life-saving health care for low-income, uninsured and homeless individuals.

Whether through the skills they learn at the Venice Boys & Girls Club or by cultivating their imagination at Venice Arts in Neighborhoods, our children grow up to be productive citizens. Many go on to dedicate themselves to enriching the community through the Venice-Marina Rotary or the Chamber of Commerce.

Mr. Speaker, I am honored to represent the diverse Venice community in the United States Congress. Each 4th of July, we celebrate two historic events together: American independence and the founding of our hometown.

INTRODUCING THE QUALITY HEALTH CARE COALITION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. PAUL. Mr. Speaker, I am pleased to introduce the Quality Health Care Coalition Act, which takes a first step towards restoring a true free market in health care by restoring the rights of freedom of contract and association to health care professionals. Over the past few years, we have had much debate in Congress about the difficulties medical professionals and patients are having with Health Maintenance Organizations (HMOs). HMOs are devices used by insurance industries to ration health care. While it is politically popular for members of Congress to bash the HMOs and the insurance industry, the growth of the HMOs are rooted in past government interventions in the health care market though the tax code, the Employment Retirement Security Act (ERSIA), and the federal anti-trust laws. These interventions took control of the health care dollar away from individual patients and providers, thus making it inevitable that something like the HMOs would emerge as a means to control costs.

Many of my well-meaning colleagues would deal with the problems created by the HMOs by expanding the federal government's control over the health care market. These interventions will inevitably drive up the cost of health care and further erode the ability of patents and providers to determine the best health treatments free of government and third-party interference. In contrast, the Quality Health Care Coalition Act addresses the problems associated with HMOs by restoring medical professionals' freedom to form voluntary organizations for the purpose of negotiating contracts with an HMO or an insurance company.

As an OB–GYN with over 30 years in practice, I am well aware of how young physicians coming out of medical school feel compelled to sign contracts with HMOs that may contain clauses that compromise their professional integrity. For example, many physicians are contractually forbidden from discussing all available treatment options with their patients because the HMO gatekeeper has deemed certain treatment options too expensive. In my own practice, I have tried hard not to sign contracts with any health insurance company that infringed on my ability to practice medicine in the best interests of my patients and I have always counseled my professional colleagues to do the same. Unfortunately, because of the dominance of the HMO in today's health care market, many health care professionals cannot sustain a medical practice unless they agree to conform their practice to the dictates of some HMO.

One way health care professionals could counter the power of the HMOs would be to form a voluntary association for the purpose of negotiating with an HMO or an insurance company. However, health care professionals who attempt to form such a group run the risk of persecution under federal anti-trust laws. This not only reduces the ability of health care professionals to negotiate with HMOs on a level playing field, but also constitutes an unconstitutional violation of medical professionals' freedom of contract and association.

Under the United States Constitution, the Federal government has no authority to interfere with the private contracts of American citizens. Furthermore, the prohibitions on contracting contained in the Sherman antitrust laws are based on a flawed economic theory which holds that Federal regulators can improve upon market outcomes by restricting the rights of certain market participants deemed too powerful by the government. In fact, antitrust laws harm consumers by preventing the operation of the free-market, causing prices to rise, quality to suffer, and, as is certainly the case with the relationship between the HMOs and medical professionals, favoring certain industries over others.

By restoring the freedom of medical professionals to voluntarily come together to negotiate as a group with HMOs and insurance companies, this bill removes a government-imposed barrier to a true free market in health care. Of course, this bill does not infringe on the rights of health care professionals by forcing them to join a bargaining organization against their will. While Congress should protect the rights of all Americans to join organizations for the purpose of bargaining collectively, Congress also has a moral responsibility to ensure that no worker is forced by law to join or financially support such an organization.

Mr. Speaker, it is my hope that Congress will not only remove the restraints on medical professionals' freedom of contract, but will also empower patients to control their health care by passing my Comprehensive Health Care Reform Act. The Comprehensive Health Care Reform Act puts individuals back in charge of their own health care by providing Americans with large tax credits and tax deductions for their health care expenses, including a deduction for premiums for a high-deductible insurance policy purchased in combination with a Health Savings Account. Putting individuals back in charge of their own health care decisions will enable patients to work with providers to ensure they receive the best possible health care at the lowest possible price. If providers and patients have the ability to form the contractual arrangements that they find most beneficial to them, the HMO monster will wither on the vine without the imposition of new Federal regulations on the insurance industry.

In conclusion, Mr. Chairman, I urge my colleagues to support the Quality Health Care Coalition Act and restore the freedom of contract and association to America's health care professionals. I also urge my colleagues to join me in working to promote a true free market in health care by putting patients back in charge of the health care dollar by supporting my Comprehensive Health Care Reform Act.

IN OPPOSITION TO THE ONGOING WAR IN IRAQ

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Ms. SOLIS. Mr. Speaker, I rise tonight in opposition to the ongoing war in Iraq.

The Bush Administration has no plan to secure peace in Iraq and has refused to develop a comprehensive exit strategy which ensures the safe return of our troops. When our troops return home, this Administration also has refused to provide the care and services that our veterans need and deserve.

Since President Bush stood on an aircraft carrier to declare the end of ''combat,'' more than 13,000 troops have been injured—nearly half have sustained such severe injuries that prevent them from returning to combat. More than 1,730 servicemembers have died. These servicemen and women are more than just casualty statistics. They have families; they are mothers and fathers, sisters and brothers, daughters and sons. They have families, they are mothers and fathers, sisters and brothers, daughters and sons. And they all have Members of Congress who are supposed to represent their best interests.

I represent 10 brave servicemen who did not return to their families, nor the life they knew before the war. They are Marine Corporal Jorge A. Gonzalez, Army Sergeant Atanasio I Haromarin, Army Private First Class Jose Casanova, Marine Private First Class Francisco A. Martinez Flores, Army Specialist Leroy Harris-Kelly III, Marine Corporal Rudy Salas, Lance Corporal Benjamin M. Gonzalez, Lance Corporal Manuel A. Ceniceros, Specialist Private First Class Marcos O. Nolasco, and Corporal Stephen P. Johnson. These men, our fallen soldiers, are heroes.

I have many constituents serving our Nation in Iraq and around the world. Many of them do not even have their U.S. citizenship, yet they put their lives on the line in defense of our Nation. In fact, more than 50,000 green card soldiers are proudly serving this Nation as part of the U.S. military.

Our troops continue to do their commitment and duty to our country. However, this Administration and the military's leadership have failed in their responsibility to our troops. To date, there is no strategy to ensure that our troops return home. There is a $1 billion shortfall for veterans care. When these troops return home they are returning to a system that cannot care for them or provide the benefits they so greatly sacrificed for and deserve.

Ultimately, a successful Iraq is an Iraq run by Iraqis, not the U.S. military. We owe Iraqis a peaceful nation. And, we owe our troops a secure return home to a grateful Nation and a secure future. This mission will not be complete until each one of our servicemen and women are home, something I strongly believe needs to happen soon. Tonight I am proud to stand alongside my colleagues in honoring our fallen heroes. We owe it to them, their families and active service members at home and abroad to have a strategy to bring the troops home.

PERSONAL EXPLANATION

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. JONES of North Carolina. Mr. Speaker, on Friday, June 24, 2005, I missed several rollcall votes due to a family engagement in North Carolina. I ask that my absence be excused and the CONGRESSIONAL RECORD show that had I been present:

For rollcall No. 310—an amendment to H.R. 3010, I would have voted ''nay;'' for rollcall No.

312—an amendment to H.R. 3010, I would have voted "yea;" for rollcall No. 313—an amendment to H.R. 3010, I would have voted "yea;" for rollcall No. 317—an amendment to H.R. 3010, I would have voted "yea;" for rollcall No. 321—final passage of H.R. 3010, I would have voted "nay."

HONORING THE UNITED STATES APPRENTICESHIP ASSOCIATION HALL OF FAME RECIPIENTS

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. DEFAZIO. Mr. Speaker, on the 16th day of August, 1937, Franklin D. Roosevelt signed into law the Fitzgerald Act, now known as the National Apprenticeship Act. In the CONGRESSIONAL RECORD of August 7, 1937, Representative Fitzgerald (CT) said, "this bill sets up standards by Federal cooperation with the States and through the formation of voluntary committees in the states, throwing a cloak of protection around boys and girls and setting up standards and protecting them and guaranteeing that when their time of service in a trade has expired, they will come out full-fledged mechanics".

In 1992 the United States Apprenticeship Association initiated the U.S.A.A. Donald Grabowski Hall of Fame, honoring individuals who have served at least 25 years helping the growth and development of apprenticeship and must be at least 65 years of age.

The following names represent well over 900 years of participation in various apprenticeship trades, ranging from Bricklaying, Carpentry, Sheet Metal, Electrical, Plumbers, Ironworkers, Operating Engineers, Painters, Auto Mechanic to Machinists. The inductees are: 1992—Richard Zorabedian, Rhode Island; John Hinkson, Missouri; William Denevi, California; and Howard Kerr, New York. 1993—Louise Albrecht, Wisconsin; Charles Nye, Wisconsin; Joseph D'Aires, New Jersey; Daniel Faddis, Oregon; and John Hunt, Pennsylvania. 1994—James Garde, New York; John O'Neil, Maine; and Thomas Crosby, Oregon. 1995—Lois Gray, New York; Gerald Olejniczack, Virginia; and Jack Reihl, Wisconsin. 1996—Lawrence Carr, Jr., Maine; John Hansen, Minnesota; and Peter Marzec, New York. 1997—Robert Baumgarden, Virginia; Richard Swain, Illinois; Kenneth Pittman, Florida; and Marion Winters, Washington, DC. 1998—Joseph Calci, Massachusetts. 1999—Albert Rowbottom, Maine; and Carl Horstrup, Oregon. 2000—Edward Marks, Massachusetts; Duane Meyer, Wisconsin; and Thomas Stanek, Wisconsin. 2001—Stephen P. Yorich, Michigan; and Kenneth "Skip" Hardt, Maine. 2002—Richard Karas, Michigan. 2003—Robert Roberts, Washington. 2004—William "Bill" Fura, Montana; Neil Heisey, Montana; and Keith Ricketts, Montana. 2005—Jim Reardon, Massachusetts; and James Kubinski, Massachusetts.

GENE BICKNELL FOR THE FINAL GENE BICKNELL GOLF CLASSIC

HON. JIM RYUN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. RYUN of Kansas. Mr. Speaker, I rise today to recognize Gene Bicknell of Pittsburg, Kansas for his dedication to giving back to his community.

Gene has remained an active contributor to the Pittsburg community, and has greatly impacted his neighbors through his generous efforts at Pittsburg State University and the city as a whole. Gene's devotion to charitable causes is recognized by many as truly inspirational.

The weekend of July 8, 2005 marks the fifteenth and final Gene Bicknell Charity Golf Classic, which benefits Pittsburg's Mt. Carmel Regional Medical Center and Pittsburg State University, Gene's alma mater. The tournament has raised over $1.2 million since its first year, and supporters hope to raise an additional $100,000 this summer.

I congratulate Gene on the great success of this annual function and celebrate his humanitarian passion that has touched so many lives.

RECOGNIZING THE OUTSTANDING WORK OF DIANA JORGENSON UPON HER RETIREMENT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. GEORGE MILLER of California. Mr. Speaker, I rise to pay tribute to Ms. Diana Jorgenson, a friend, constant supporter and advocate for the Contra Costa community, as she retires. Diana has a long history dedicated to improving the lives of families in my district and we are all beneficiaries of her service.

Diana's long career in mental health and disability services began after she received her Masters of Social Work from the University of California at Berkeley in 1968. From there, she went on to work in the Mental Health Agency in San Francisco and was liaison to Sonoma Development Center. She continued her work at the agency until 1971, when she moved to the Golden Gate Regional Center.

From 1973–1975 while her husband was in graduate school, Diana put her skills to work at the Family Service Agency in Honolulu, Hawaii, later returning to the Golden Gate Regional Center and serving as head of the Concord Office. It was in this role she played a major part in establishing the Regional Center of the East Bay, sharing the dream of integrating persons with developmental disabilities into the community.

By 1978, Diana had taken on the role of Manager and Acting Director of Client Services. From there she moved to the San Francisco School and facilitated services for the Visually Handicapped Program. Diana also provided services for the County Office of Education in both the Special Education Division and George Miller Center West.

The Developmental Disability Council welcomed her as a member in 1982 and for five years Diana worked simultaneously for Richmond Unified School District's as a mental health specialist and in the DD Council.

For the past ten years Diana has worked tirelessly as staff to the Development Disability Council of Contra Costa as well as the Director of the Medically Vulnerable Infant Program for Contra Costa County. Her role has been vital in the Home Visiting Strategy for First Five and the Consultation and Response Team for home visitors.

Diana has served on the Board of the Infant Development Association for twenty-five years and was at one time the State Chair. For four years she also provided training on working with young children exposed to drugs.

Mr. Speaker, Diana has made monumental contributions in the world of social work world and I am pleased to recognize her many accomplishments.

Today, I am proud to commend her for her service to the community, her dedication to those in need and her commitment to the people of Contra Costa County. In recognizing Diana's great contributions, I would also like to wish her a happy and healthy retirement.

PERSONAL EXPLANATION

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. NUNES. Mr. Speaker, on the legislative day of Friday, June 24, 2005, I was unavoidably detained with family matters and was unable to cast a vote on rollcall vote Nos. 313–321.

INTRODUCING THE CANCER AND TERMINAL ILLNESS PATIENT HEALTH CARE ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. PAUL. Mr. Speaker, I rise to help working Americans stricken with cancer or other terminal illnesses, and their families, by introducing the Cancer and Terminal Illness Patient Health Care Act. This act exempts people with terminal illnesses from the employee portion of payroll taxes while they are suffering from such illnesses or are incurring significant medical costs associated with their conditions. The Cancer and Terminal Illness Patient Health Care Act also provides a payroll deduction to any worker who is the primary caregiver for a spouse, parent, or child with a terminal illness.

When stricken with cancer or another terminal disease, many Americans struggle to pay for the treatment necessary to save, or extend, their lives. Even employees with health insurance incur costs such as for transportation to and from care centers, prescription drugs not covered by their insurance, or for child care while they are receiving treatment. Yet, the federal government continues to force these employees to pay for retirement benefits they may never live to see!

Many Americans struggle to pay the costs of treating children, a spouse, or a parent with a terminal illness. My bill also provides much

needed tax relief for those who are providing care to a loved one with a terminal disease.

As a physician who has specialized in women's health issues for decades, I know how critical it is that cancer patients and others suffering from terminal illnesses have the resources they need to combat these illnesses. The Cancer and Terminal Illness Patient Health Care Act provides a realistic way to help people suffering from cancer or other terminal illnesses receive quality health care.

It is hard to think of a more compassionate tax policy this Congress could enact than to stop taking the resources away from working Americans that could help them treat cancer, AIDS, or other terrible health problems. I hope all my colleagues will help people suffering from terminal illnesses, and their caregivers, by cosponsoring the Cancer and Terminal Illness Patient Health Care Act.

A TRIBUTE TO ALAN D. BERSIN

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. CUNNINGHAM. Mr. Speaker, I rise today to ask my colleagues to join me in honoring Alan Bersin, who this June will conclude his seventh year as Superintendent of San Diego City Schools. As such, he finishes his term of service as the nation's longest serving superintendent in an urban district of 100,000 or more students. He has served our community in Southern California with great distinction as United States Attorney from 1993–1998 and as the Attorney General's Southwest Border Representative from 1995 to 1998, the so-called ''border czar.'' Superintendent Bersin has rendered distinguished public service in the course of leading the transformation of the eighth largest public school district in America.

Under Superintendent Bersin's leadership, San Diego City Schools earning the highest academic rank increased by more than a third while the number of schools in the lowest category fell from 13 to 1. Mr. Bersin also promoted and successfully inspired 78.8 percent of the electorate to support a $1.5 billion bond to repair and renovate the physical infrastructure of the city schools. He downsized the central office to streamline operations and directed further resources to the classroom. His outreach efforts set a new standard for community participation and dialogue and helped to foster an atmosphere of mutual respect. By maintaining a relentless focus on enhanced instruction and improved student achievement, Superintendent Bersin achieved great things for public education in San Diego.

Mr. Bersin oversaw a transformation of San Diego City Schools. The district is now better able to serve its students, their families and the broader San Diego community. The credit belongs to thousands of teachers and hundreds of school and parent leaders who were galvanized and energized by Superintendent Bersin's leadership. I am also pleased to announce that Mr. Bersin's service in support of public education will continue as Governor Arnold Schwarzenegger has appointed him Secretary of Education for California and a member of the State Board of Education. His term commences on July 1, 2005. I want to offer my congratulations to Alan. He continues to exemplify public service and public servants at their best. I know my colleagues join me in wishing every success to California's new Secretary for Education.

TRIBUTE TO DONALD RUGGERY, SR.

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. SHUSTER. Mr. Speaker, I rise today to honor Donald Ruggery, Sr., owner of Ruggieri Enterprises LLC of Altoona, who has been honored as the 2005 Small Business Person of the Year by the St. Francis University Small Business Development Center. The Center recognizes businesses that have participated in the University's small business outreach program whose primary goal is to educate new business owners on how to create a successful business plan as well as assist in locating proper financing for their fledgling businesses.

After serving for more than 30 years as the Regional Director for the State Job Services and Unemployment Compensation Office in Altoona, Donald Ruggery, Sr. retired from his duties to assume a responsibility as equally as altruistic. In January 1992, he founded a Spherion staffing services franchise which today has grown into a full-service staffing and human resource consulting company providing permanent and temporary employment to thousands in the area. The success of the Spherion franchise in Altoona has spawned 11 other Spherion locations throughout central and western Pennsylvania.

Today, Ruggieri Enterprises, LLC doing business as Spherion under Donald's helm, is one of the top franchisees of a publicly-traded, three billion dollar staffing and human capital consulting company.

Donald selflessly refuses to take the full credit for such achievements and insists that others beside him were responsible for accomplishing their success in finding jobs for out-of-work Pennsylvanians. Despite Donald's refusal to take full recognition, through his careful guidance and leadership, Spherion has developed from a small start-up with one Altoona office at its inception to a multiple location firm with over $34 million in revenue in 2004 alone.

The thousands of Pennsylvanians who now have jobs due to his continued hard work would certainly join me in thanking Donald for his contributions to the community and the economy, as well as serving as an inspiration for the spirit of chivalrous virtue.

INTRODUCING THE GERIATRICIANS LOAN FORGIVENESS ACT OF 2005

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Ms. DELAURO. Mr. Speaker, as our nation's 76 million baby boomers near retirement age, the number of Americans over age 65 will double to 70 million—one-fifth of the population. Americans older than 85 represent the fastest growing segment of this population and membership in this once exclusive demographic group is projected to grow from four million Americans today to an estimated 19 million by 2050.

Unfortunately, our health care system is ill prepared to handle the strain of this enormous senior population, largely because we have a critical shortage of geriatric physicians. Fewer than 9,000 geriatricians practice in the United States, less than half of the current need. By 2030, the shortfall of geriatricians may reach 25,000 doctors. Approximately, 2,500 psychiatrists have received added qualifications in geriatric psychiatry; yet 4,000 to 5,000 geriatric psychiatrists are needed to provide patient care.

According to estimates from the President's Commission on Mental Health, at the current rate of approximately 80 new geriatric psychiatrists graduating each year and an estimated 3 percent attrition, there will be approximately 2,640 geriatric psychiatrists by the year 2030, or one per 5,682 older adults with a psychiatric disorder.

America must plan for the burdens the baby boomers demographic shift will place on our health care system and health care providers. Our first step is ensuring the country has an adequate number of well-trained physicians who specialize in geriatrics.

Today, I am introducing legislation along with my colleague Congresswoman ILEANA ROS-LEHTINEN of Florida, that will encourage more doctors to become certified in geriatrics. The Geriatricians Loan Forgiveness Act would amend the Public Health Service Act to include each year of fellowship training in geriatric medicine or geriatric psychiatry as a year of obligated service under the National Health Corps Loan Repayment Program. Specifically it would forgive $35,000 of education debt incurred by medical students for each year of advanced training required to obtain a certificate of added qualifications in geriatric medicine or psychiatry.

Geriatric medicine is the foundation of a comprehensive health plan for our most vulnerable seniors. Geriatrics, by focusing on assessment and care coordination, promotes preventive care and improves patients' quality of life by allowing them greater independence and eliminating unnecessary and costly trips to the hospital or institutions. A fellowship in geriatric psychiatry provides intensive training in the biological and psychological aspects of normal aging, the psychiatric impact of acute and chronic physical illness, and the biological and psycho-social aspects of the pathology of primary psychiatric disturbances of older age. Thus, these specialists are equipped to diagnose and treat these complex conditions among our frailest citizens.

Mr. Speaker, this kind of specialized care is complicated and demanding. Many doctors inclined to study and practice geriatrics are dissuaded from doing so because treating the elderly takes more time and carries financial disincentives for doctors.

Medical training takes time, and it is important that we take steps now to alleviate the shortages in geriatrics that are only going to get worse in the next ten years and beyond. This legislation is a commonsense approach and a cost-effective investment, and I hope it will receive the support of the House.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. BECERRA. Mr. Speaker, on Friday, June 24, 2005, I was unable to cast my floor vote on rollcall numbers 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320 and 321.

Had I been present for the votes, I would have voted ''no'' on rollcall 308, ''aye'' on rollcall 309, ''aye'' on rollcall 310, ''aye'' on rollcall 311, ''aye'' on rollcall 312, ''no'' on rollcall 313, ''aye'' on rollcall 314, ''no'' on rollcall 315, ''aye'' on rollcall 316, ''no'' on rollcall 317, on rollcall 318, ''aye'' on rollcall 319, ''aye'' on rollcall 320 and ''no'' on rollcall 321.

INTRODUCING THE CHILD HEALTH CARE AFFORDABILITY ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 27, 2005

Mr. PAUL. Mr. Speaker, I am pleased to help working Americans provide for their children's health care needs by introducing the Child Health Care Affordability Act. The Child Health Care Affordability Act provides parents with a tax credit of up to $500 for health care expenses of dependent children. Parents caring for a child with a disability, terminal disease, cancer, or any other health condition requiring specialized care would receive a tax credit of up to $3,000 to help cover their child's health care expenses.

The tax credit would be available to all citizens, regardless of whether or not they itemize their deductions. The credit applies against both income and payroll tax liability. The tax credits provided in this bill will be especially helpful to those Americans whose employers cannot afford to provide health insurance for their employees. These workers must struggle to meet the medical bills of themselves and their families. This burden is especially heavy on parents whose children have a medical condition; such as cancer or a physical disability that requires long-term or specialized health care.

As an OB–GYN who has had the privilege of delivering more than four thousand babies, I know how important it is that parents have the resources to provide adequate health care for their children. The inability of many working Americans to provide health care for their children is rooted in one of the great inequities of the tax code—Congress' failure to allow individuals the same ability to deduct health care costs that it grants to businesses. As a direct result of Congress' refusal to provide individuals with health care related tax credits, parents whose employers do not provide health insurance have to struggle to provide health care for their children. Many of these parents work in low-income jobs; oftentimes, their only recourse for health care is the local emergency room.

Sometimes parents are forced to delay seeking care for their children until minor health concerns that could have been easily treated become serious problems requiring expensive treatment! If these parents had access to the type of tax credits provided in the Child Health Care Affordability Act, they would be better able to provide care for their children, and our nation's already overcrowded emergency rooms would be relieved of the burden of having to provide routine care for people who otherwise cannot afford it.

According to research on the effects of this bill done by my staff and legislative counsel, the benefit of these tax credits would begin to be felt by joint filers with incomes slightly above $18,000 per year, or single income filers with incomes slightly above $15,000 per year. Clearly, this bill will be of the most benefit to low-income Americans balancing the demands of taxation with the needs of their children.

Under the Child Health Care Affordability Act, a struggling singling mother with an asthmatic child would at last be able to provide for her child's needs, while a working-class family will not have to worry about how they will pay the bills if one of their children requires lengthy hospitalization or some other form of specialized care.

Mr. Speaker, this Congress has a moral responsibility to provide tax relief so that low-income parents struggling to care for a sick child can better meet their child's medical expenses. Some may say that we cannot enact the Child Health Care Affordability Act because it would cause the government to lose revenue. But, who is more deserving of this money, Congress or the working parents of a sick child?

The Child Health Care Affordability Act takes a major step toward helping working Americans meet their health care needs by providing them with generous health care related tax cuts and tax credits. I urge my colleagues to support the pro-family, pro-health care tax cuts contained in the Child Health Care Affordability Act.

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 Tuesday, June 28, 2005 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 29

9:30 a.m.

Armed Services

To hold hearings to examine the nominations of General Peter Pace, USMC, for reappointment to the grade of general and to be Chairman, Joint Chiefs of Staff, Admiral Edmund P. Giambastiani, Jr., USN, for reappointment to the grade of admiral and to be Vice Chairman, Joint Chiefs of Staff, General T. Michael Moseley, USAF, for reappointment to the grade of general and to be Chief of Staff of the Air Force, Eric S. Edelman, of Virginia, to be Under Secretary of Defense for Policy, Daniel R. Stanley, of Kansas, to be Assistant Secretary of Defense for Legislative Affairs, and James A. Rispoli, of Virginia, to be Assistant Secretary of Energy for Environmental Management.

SD–106

Homeland Security and Governmental Affairs

To hold hearings to examine vulnerabilities in the United States passport system.

SD–562

Indian Affairs

Business meeting to consider S.J. Res. 15, to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States, S. 374, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River, S. 113, to modify the date as of which certain tribal land of the Lytton Rancheria of California is deemed to be held in trust, S. 881, to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, S. 449, to facilitate shareholder consideration of proposals to make Settlement Common Stock under the Alaska Native Claims Settlement Act available to missed enrollees, eligible elders, and eligible persons born after December 18, 1971, H.R. 797 and S. 475, bills to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians, S. 623, to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, S. 598, 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, proposed legislation to condemn certain subsurface rights to land held in trust by the State of Arizona, and convey subsurface rights held by Bureau of Land Management, for the Pascua Yaqui Tribe, proposed legislation to authorize funding for the National Indian Gaming Commission, S. 1239, to amend the Indian Health Care Improvement Act to permit the Indian Health Service, an Indian tribe, a tribal organization, or an urban Indian organization to pay the monthly part D premium of eligible medicare beneficiaries, S. 1231, to amend the Indian Self-Determination and Education Assistance Act to modify provisions relating to the National Fund for Excellence in American Indian Education, proposed legislation to require former Federal employees who are employed by tribes to adhere to conflict of interest rules, and proposed legislation to amend the Tribally Controlled Community College and Universities Assistance Act.

SR–485

9:50 a.m.

Health, Education, Labor, and Pensions

Business meeting to consider S. 681, to amend the Public Health Service Act to establish a National Cord Blood Stem Cell Bank Network to prepare, store, and distribute human umbilical cord blood stem cells for the treatment of patients and to support peer-reviewed research using such cells, and any nominations cleared for action.

SD–430

10 a.m.

Finance

To continue hearings to examine threatening the health care safety net regarding Medicaid waste, fraud and abuse.

SH–216

10:30 a.m.

Appropriations

State, Foreign Operations, and Related Programs Subcommittee

Business meeting to markup proposed legislation making appropriations for fiscal year 2006 for the Department of State and foreign operations.

SD–116

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine the ongoing crisis in Uzbekistan and its implications for the United States.

SD–124

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

Foreign Relations

To hold hearings to examine the nominations of John Ross Beyrle, of Michigan, to be Ambassador to the Republic of Bulgaria, Marie L. Yovanovitch, of Connecticut, to be Ambassador to the Kyrgyz Republic, Robert H. Tuttle, of California, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland, and Ronald Spogli, of California, to be Ambassador to the Italian Republic.

SD–419

Foreign Relations

International Economic Policy, Export and Trade Promotion Subcommittee

To hold hearings to examine U.S. economic development strategy and the south caucasus.

SD–G50

Intelligence

To hold a closed briefing regarding certain intelligence matters.

SH–219

JUNE 30

9:30 a.m.

Armed Services

To hold hearings to examine the status of the U.S. Army and U.S. Marine Corps in fighting the global war on terrorism.

SR–325

Foreign Relations

To hold hearings to examine challenges of the Middle East road map.

SD–419

Judiciary

Business meeting to consider pending calendar business.

SD–226

10 a.m.

Commerce, Science, and Transportation

Technology, Innovation, and Competitiveness Subcommittee

To hold hearings to examine how information technology can reduce medical errors, lower healthcare costs, and improve the quality of patient care, including the importance of developing interoperable electronic medical records and highlight new technologies that will impact how health services are provided in the future.

SR–253

Aging

To hold hearings to examine the importance of prevention in curing Medicare.

SH–216

2 p.m.

Appropriations

Business meeting to markup proposed legislation making appropriations for fiscal year 2006 for the Department of State and foreign operations.

SD–106

Finance

Taxation and IRS Oversight Subcommittee

To hold hearings to examine savings and investment issues.

SD–215

Veterans' Affairs

To hold hearings to examine the nominations of James Philip Terry, of Virginia, to be Chairman of the Board of Veterans' Appeals, Department of Veterans Affairs, and Charles S. Ciccolella, of Virginia, to be Assistant Secretary of Labor for Veterans' Employment and Training.

SR–418

2:30 p.m.

Judiciary

Immigration, Border Security and Citizenship Subcommittee

To hold hearings to examine securing the cooperation of participating countries

relating to the need for comprehensive immigration reform.

SD–226

Intelligence

To hold a closed briefing regarding certain intelligence matters.

SH–219

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

JULY 1

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings to examine funding for the Corporation for Public Broadcasting.

SD–192

JULY 12

9:30 a.m.

Appropriations

Labor, Health and Human Services, Education, and Related Agencies Subcommittee

To hold hearings to examine stem cell research (single cell technique without destruction of the embryo).

SD–124

JULY 19

10 a.m.

Energy and Natural Resources

To hold an oversight hearing to examine the effects of the U.S. nuclear testing program on the Marshall Islands.

SD–366

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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CANCELLATIONS

JUNE 29

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine Spectrum-DTV.

SR–253

JUNE 30

2 p.m.

Veterans' Affairs

To hold hearings to examine the nominations of James Philip Terry, of Virginia, to be Chairman of the Board of Veterans' Appeals, Department of Veterans Affairs, and Charles S. Ciccolella, of Virginia, to be Assistant Secretary of Labor for Veterans' Employment and Training.

SR–418

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7397–S7449

Measures Introduced: Six bills were introduced, as follows: S. 1312–1317. **Page S7428**

Measures Reported:

S. 1017, to reauthorize grants for the water resources research and technology institutes established under the Water Resources Research Act of 1984, with amendments. (S. Rept. No. 109–90)

S. 655, to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention, with an amendment in the nature of a substitute. (S. Rept. No. 109–91)

H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. (S. Rept. No. 109–92)

S. 268, to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, with amendments. (S. Rept. No. 109–93)

S. 432, to establish a digital and wireless network technology program. (S. Rept. No. 109–94)

Pages S7427–28

Measures Passed:

Red Tide Emergency Relief Act: Senate passed S. 1316, to authorize the Small Business Administration to provide emergency relief to shellfish growers affected by toxic red tide losses. **Pages S7446–47**

Partners for Fish and Wildlife Act: Senate passed S. 260, to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners for Fish and Wildlife Program, after agreeing to the committee amendments.

Pages S7447–48

Interior Appropriations: Senate resumed consideration of H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and pursuant to the order of June 23, 2005, agreed to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, taking action on the following amendments proposed thereto: **Pages S7403–23**

Adopted:

Burns (for Ensign) Amendment No. 1033, to prohibit the use of funds for the demolition of buildings at the Zephyr Shoals property, Lake Tahoe, Nevada. **Pages S7413, S7422**

Dorgan (for Feinstein) Amendment No. 1024, to authorize the imposition of fees for overnight lodging at certain properties at Fort Baker, California.

Pages S7404, S7422

Burns (for Frist) Amendment No. 1028, to reinstate a provision relating to National Parks with deed restrictions. **Pages S7412, S7422**

Dorgan (for Wyden) Amendment No. 1035, to extend the authority for watershed restoration and enhancement agreements. **Pages S7409, S7422**

Burns (for Craig) Amendment No. 1041, to withdraw from mineral entry or appropriation under mining lease laws, and from leasing claims under mineral and geothermal leasing laws, certain land in the Payette National Forest. **Pages S7412, S7422**

Pending:

Burns (for Voinovich) Amendment No. 1010, to prohibit the use of funds to take certain land into trust without the consent of the Governor of the State in which the land is located. **Page S7403**

Burns (for Frist/Reid) Amendment No. 1022, to provide for Congressional security relating to certain real property. **Pages S7403–04**

Dorgan (for Boxer) Amendment No. 1023, to prohibit the use of funds by the Administrator of the Environmental Protection Agency to accept, consider, or rely on third-party intentional dosing human studies for pesticides or to conduct intentional dosing human studies for pesticides.

Page S7404

Dorgan Amendment No. 1025, to require Federal reserve banks to transfer certain surplus funds to the general fund of the Treasury, to be used for the provision of Indian health care services. **Page S7404**

Sununu/Bingaman Amendment No. 1026, to prohibit the use of funds to plan, design, study or construct certain forest development roads in the Tongass National Forest. **Pages S7404–05, S7409–11**

Dorgan (for Kerry) Amendment No. 1029, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for the Veterans Health Administration. **Page S7405**

Dorgan (for Bingaman) Amendment No. 1030, to modify a provision relating to funds appropriated for Bureau of Indian Affairs postsecondary schools. **Page S7405**

Dorgan (for Bingaman) Amendment No. 1031, to set aside additional amounts for Youth Conservation Corps projects. **Page S7405**

Dorgan (for Durbin) Amendment No. 1032, to prohibit the use of funds in contravention of the Executive order relating to Federal actions to address environmental justice in minority populations and low-income populations. **Page S7406**

Dorgan (for Reed) Amendment No. 1036, to modify certain administrative provisions relating to the brownfield site characterization and assessment program. **Page S7409**

Dorgan (for Reed) Amendment No. 1037, to authorize recipients of grants provided under the brownfield site characterization and assessment program to use grant funds for reasonable administrative expenses. **Page S7409**

Salazar Amendment No. 1038, to provide additional funds for the payment in lieu of taxes program, with an offset. **Pages S7411–12**

Salazar Amendment No. 1039, to provide that certain user fees collected under the Land and Water Conservation Act of 1965 be paid to the States. **Pages S7411–12**

Burns (for Bond) Amendment No. 1040, to set aside funds for the University of Missouri—Columbia to establish a wetland ecology center of excellence. **Page S7412**

Burns (for Warner) Amendment No. 1042, to set aside funds for the replacement of the main gate facility at the Wolf Trap National Park for the Performing Arts, Virginia. **Page S7412**

Burns (for Ensign) Amendment No. 1012, to provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway. **Pages S7412–13**

Burns (for Coburn) Amendment No. 1002, to reduce total appropriations in the bill by 1.7 percent for the purpose of fully funding the Department of Defense. **Page S7413**

Burns (for Coburn) Amendment No. 1003, to require conference report inclusion of limitations, directives, and earmarks. **Page S7413**

Burns (for Coburn) Amendment No. 1015, to transfer funding to Wildland Fire Management from the National Endowment for the Arts and the National Endowment for the Humanities. **Page S7413**

Burns (for Coburn) Amendment No. 1019, to transfer funding to the Special Diabetes Program for Indians and the Alcohol and Substance Abuse Program within the Indian Health Service from funding for Federal land acquisition. **Page S7413**

Burns (for Coburn) Amendment No. 1020, to express the Sense of the Senate that any additional emergency supplemental appropriations should be offset with reductions in discretionary spending. **Page S7413**

Dorgan (for Feingold) Amendment No. 1043, to require the Government Accountability Office to conduct an audit of the competitive sourcing program of the Forest Service. **Pages S7413–14**

Dorgan (for Byrd) Amendment No. 1044, to set aside funds for the White Sulphur Springs Fish Hatchery. **Page S7414**

Dorgan (for Conrad) Amendment No. 1045, to set aside funds for a brownfields assessment of the Fortuna Radar Site. **Page S7414**

Dorgan (for Sarbanes) Amendment No. 1046, to provide for a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail. **Page S7414**

Kyl (for Smith) Amendment No. 1048, to require the Secretary of Agriculture to report to Congress on the rehabilitation of the Biscuit Fire area of southern Oregon. **Page S7417**

Kyl Amendment No. 1049, to provide certain earmarks for State and tribal assistance grant funds. **Pages S7417–18**

Kyl Amendment No. 1050, to modify the formula for the allotment of grants to States for the establishment of State water pollution control revolving funds. **Page S7418**

Kyl (for Inhofe) Amendment No. 1051, to encourage competition in assistance agreements awarded by the Environmental Protection Agency. **Page S7418**

Byrd (for Murray) Amendment No. 1052, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for the Veterans Health Administration. **Pages S7419–20**

Byrd/Cochran Amendment No. 1053, to provide funds for the Memorial to Martin Luther King, Jr. **Pages S7420–21**

Dorgan (for Bingaman) Amendment No. 1054, to set aside additional amounts for Youth Conservation Corps projects. **Page S7421**

Dorgan (for Bingaman) Amendment No. 1055, to provide for the consideration of the effect of competitive sourcing on wildland fire management activities. **Page S7421**

Dorgan (for Bingaman) Amendment No. 1056, to strike the title providing for the disposition of Forest Service land and the realignment of Forest Service facilities. **Page S7421**

Dorgan (for Bingaman) Amendment No. 1057, to extend the Forest Service conveyances pilot program. **Page S7421**

Dorgan (for Bingaman) Amendment No. 1058, to provide a substitute for title V, Facility Realignment and Enhancement Act of 2005. **Page S7421**

Dorgan Amendment No. 1059, to facilitate family travel to Cuba in humanitarian circumstance. **Page S7421**

Dorgan (for Landrieu) Amendment No. 1060, to make certain funding revisions relating to Historically Black Colleges and Universities, and Department of the Interior administrative expenses. **Page S7421**

Dorgan (for Obama) Amendment No. 1061, to provide that none of the funds made available in this Act may be used in contravention of 15 U.S.C. section 2682(c)(3) or to delay the implementation of that section. **Pages S7421–22**

Dorgan (for Obama) Amendment No. 1062, to provide that of the funds made available under the heading ''Environmental Programs and Management,'' not less than $100,000 shall be made available to issue the proposed rule required under 15 U.S.C. section 2682(c)(3) by November 1, 2005, and promulgate the final rule required under 15 U.S.C. section 2682(c)(3) by September 30, 2006. **Pages S7421–22**

A unanimous-consent agreement was reached providing that all second degree amendments be relevant to the first degree amendments to which they are offered. **Page S7449**

A unanimous-consent agreement was reached providing for further consideration of the bill on Tuesday, June 28, 2005. **Page S7449**

Energy Policy Act Amendment—Agreement: A unanimous-consent agreement was reached providing that all references to Amendment No. 978, to clarify the definition of coal to liquid fuel technology, to the bill H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, agreed to on Wednesday, June 22, 2005, reflect that the sponsor of the amendment is Senator Conrad and not Senator Obama. **Page S7449**

Energy Policy Act—Agreement: A unanimous-consent agreement was reached providing for further consideration of H.R. 6, Energy Policy Act, at 9:45 a.m. on Tuesday, June 28, 2005, with a vote on final passage of the bill to occur immediately thereon. **Page S7449**

Messages From the House: **Page S7425**

Measures Referred: **Page S7425**

Executive Communications: **Pages S7425–27**

Additional Cosponsors: **Pages S7428–29**

Statements on Introduced Bills/Resolutions: **Pages S7429–38**

Additional Statements: **Page S7425**

Amendments Submitted: **Pages S7438–45**

Notices of Hearings/Meetings: **Pages S7445–46**

Adjournment: Senate convened at 1 p.m., and adjourned at 6:24 p.m. until 9:45 a.m., on Tuesday, June 28, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7449.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 3070–3080 and 2 resolutions, H. Con. Res. 193; and H. Res. 343, were introduced. **Pages H5251–52**

Additional Cosponsors: **Page H5152**

Reports Filed: Reports were filed today as follows:

H. Res. 341, providing for consideration of H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006 (H. Rept. 109–155);

H. Res. 342, providing for consideration of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia and independent agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–156);

H.R. 426, to encourage the development and integrated use by the public and private sectors of remote sensing and other geospatial information, amended (H. Rept. 109–157); and

H.R. 1022, to provide for a Near-Earth Object Survey program to detect, track, catalogue, and characterize certain near-earth asteroids and comets (H. Rept. 109–158). **Page H5151**

Speaker: Read a letter from the Speaker wherein he appointed Representative Aderholt to act as speaker pro tempore for today. **Page H5179**

Recess: The House recessed at 12:38 p.m and reconvened at 2 p.m. **Page H5180**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing National Homeownership Month: H. Res. 312, recognizing National Homeownership Month and the importance of homeownership in the United States; **Pages H5181–83**

Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act: H.R. 358, amended, 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; **Pages H5183–86**

Sense of Congress that a Caribbean-American Heritage Month should be established: H. Con. Res. 71, expressing the sense of Congress that there should be established a Caribbean-American Heritage Month; **Pages H5192–94**

John J. Hainkel Post Office Building Designation Act: H.R. 2346, amended, 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"; **Pages H5194–95**

Agreed to amend the title so as to read: to designate the facility of the United States Postal Service located at 105 NW Railroad Avenue in Hammond, Louisiana, as the "John J. Hainkel, Jr., Post Office Building". **Page H5195**

Mayor Joseph S. Daddona Memorial Post Office Designation Act: 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"; **Pages H5195–96**

Commemorating Mystic Seaport: the Museum of America and the Sea in recognition of its 75th year: H. Con. Res. 152, amended, commemorating Mystic Seaport: the Museum of America and the Sea in recognition of its 75th year; **Pages H5196–97**

Delaware River Protection Act of 2005: H.R. 1412, amended, to amend the Ports and Waterways Safety Act to require notification of the Coast Guard regarding obstructions to navigation; **Pages H5197–H5200**

Sand Creek Massacre National Historic Site Trust Act of 2005: H.R. 481, amended, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000; **Pages H5200–02**

Authorizing the establishment of a memorial to regiments from New Hampshire at Antietam National Battlefield: H.R. 1084, amended, to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862; **Page H5202**

National Fish and Wildlife Foundation Reauthorization Act of 2005: H.R. 1428, amended, to authorize appropriations for the National Fish and Wildlife Foundation; **Pages H5202–03**

National Geologic Mapping Reauthorization Act of 2005: H.R. 2362, amended, to reauthorize and amend the National Geologic Mapping Act of 1992; **Pages H5203–05**

Upper White Salmon Wild and Scenic Rivers Act: H.R. 38, amended, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System; **Pages H5205–06**

Taunton, Massachusetts Special Resources Study Act: H.R. 1512, amended, to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System; **Pages H5206–07**

Honoring members of the U.S. Air Force who were killed in the June 25, 1996 terrorist bombing of the Khobar Towers U.S. military housing compound: H. Con. Res. 188, honoring the members of the United States Air Force who were killed in the June 25, 1996, terrorist bombing of the Khobar Towers United States military housing compound near Dhahran, Saudi Arabia; **Pages H5207–09**

Sense of the House regarding the massacre at Srebrenica in July 1995: H. Res. 199, amended, expressing the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995, by a yea-and-nay vote of 370 yeas to 1 nay, Roll No. 322; and **Pages H5209–14, H5216–17**

Urging the Government of the Republic of Albania to ensure that the elections on July 3, 2005 are conducted in accordance with international standards for free and fair elections: H. Con. Res. 155, urging the Government of the Republic of Albania to ensure that the parliamentary elections to be held on July 3, 2005, a conducted in accordance with international standards for free and fair elections, by a ⅔ yea-and-nay vote of 369 yeas to 1 nay, Roll No. 323. **Pages H5214–16, 5217–18**

Recess: The House recessed at 4:35 p.m. and reconvened at 6:30 p.m. **Page H5216**

Suspension—Proceedings Postponed: The House began consideration of the following measure under suspension of the rules. Further consideration will continue tomorrow, June 28.

Military Personnel Financial Services Protection Act: H.R. 458, amended, to prevent the sale of abusive insurance and investment products to military personnel. **Pages H5186–92**

British-American Interparliamentary Group—Appointment: The Chair announced the Speaker's appointment of the following Members to the British-American Interparliamentary Group: Representative Petri, Chairman; and Representative Boozman, Vice Chairman. **Page H5216**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H5216–17 and H5217–18. There were no quorum calls.

Adjournment: The House met at 12:30 p.m., and adjourned at 11:54 p.m.

Committee Meetings

TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS FY 2006

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Knollenberg and Olver.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS FY 2006

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides

one motion to recommit with or without instructions. Testimony was head from Representatives Kolbe and Lowey.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 28, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the Agricultural Risk Protection Act of 2000 and related crop insurance issues, 10 a.m., SR–328A.

Committee on Appropriations: Subcommittee on Military Construction and Veterans' Affairs and Related Agencies, to hold hearings to examine the Commission on the Review of Overseas Military Facility Structure of the United States (Overseas Basing Commission) Report on the U.S. overseas military basing posture, 4 p.m., SD–138.

Committee on Energy and Natural Resources: Subcommittee on National Parks, 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, 10 a.m., SD–366.

Committee on Finance: business meeting to mark up S. 1307, to implement the Dominican Republic-Central America-United States Free Trade Agreement, and S.J. Res. 18, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, 9 a.m., SH–216.

Full Committee, to hold hearings to examine threatening the health care safety net regarding Medicaid waste, fraud and abuse, 10 a.m., SH–216.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine the security clearance process of the Department of Defense (DOD), focusing on the transfer of investigative responsibilities from DOD to the Office of Personnel Management (OPM), including the impact this shift will have on the ability to investigate and adjudicate security clearances in a thorough and expeditious manner, including strategies employed by DOD and OPM to remove the Personnel Security Clearance Program from the high-risk list, 10 a.m., SD–562.

Committee on Indian Affairs: to hold an oversight hearing to examine regulation of Indian gaming, 10 a.m., SD–106.

Committee on Veterans' Affairs: to hold hearings to examine the shortfall in VA's medical care budget, 10:30 a.m., SR–418.

Special Committee on Aging: to hold hearings to examine the structure of the Medicaid program and its use of mandatory and optional populations and benefits, focusing on how Congress can meet its budgetary obligations to find savings in Medicaid and strengthen the program for the long-term, 3 p.m., SD–G50.

House

Committee on Appropriations, Subcommittee on Military Quality of Life, and Veterans' Affairs, and Related Agencies, on Veterans Affairs, 9 a.m., 2362–A Rayburn.

Committee on Armed Services, Subcommittee on Military Personnel, hearing on the religious climate at the U.S. Air Force Academy, 2 p.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Education Reform, hearing entitled "How the Private Sector is Helping States and Communities Improve High School Education," 2 p.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing on H.R. 2355, Health Care Choice Act of 2005, 10 a.m., 2123 Rayburn.

Committee on Government Reform, hearing entitled "Under Fire: Does the District of Columbia's Gun Ban Help or Hurt the Fight Against Crime?" 2:30 p.m., 2154 Rayburn.

Subcommittee on Regulatory Affairs, hearing entitled "The Impact of Regulation on U.S. Manufacturing: Spotlight on Department of Labor and Department of Transportation," 2 p.m., 2203 Rayburn.

Committee on Homeland Security, Subcommittee on Prevention of Nuclear and Biological Attack, hearing entitled "Pathways to the Bomb: Security of Fissile Materials Abroad," 10 a.m., 2128 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on the Legal Services Corporation: A Review of Leasing Choices and Landlord Relations, 12 p.m., 2141 Rayburn.

Subcommittee on Courts, the Internet and Intellectual Property, to mark up the following bills: H.R. 2791, United States Patent and Trademark Fee Modernization Act of 2005; and H.R. 2955, Intellectual Property Jurisdiction Clarification Act of 2005, 10 a.m., 2141 Rayburn.

Subcommittee on Immigration, Border Security, and Claims, hearing on H.R. 2933, Alien Gang Removal Act of 2005, 3 p.m., 2141 Rayburn.

Committee on Science, hearing on The Future of NASA, 10 a.m., 2318 Rayburn.

Subcommittee on Environment, Technology, and Standard, hearing on Small Business Innovation and Research: What is the Optimal role of Venture Capital?'' 3 p.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Workforce, Empowerment and Government Programs, hearing entitled ''How the Clean Air Act Affects Auto Repair,'' 2 p.m., 311 Cannon.

Committee on Ways and Means, Subcommittee on Select Revenue Measures, hearing on Funding Rules for Multiemployer Defined Benefit Plans in H.R. 2830, Pension Protection Act of 2005, 10 a.m., 1100 Longworth.

Next Meeting of the SENATE

9:45 a.m., Tuesday, June 28

Senate Chamber

Program for Tuesday: Senate will resume consideration of H.R. 6, Energy Policy Act, with a vote on final passage of the bill to occur immediately thereon; following which, Senate will continue consideration of H.R. 2361, Interior Appropriations.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, June 28

House Chamber

Program for Tuesday: Begin consideration of H.R. 3057, Foreign Operations, Export Financing and Related Program Appropriations Act for FY 2006 (open rule, one hour of general debate).

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